

AFFIDAVIT OF DORIAN HALL

STATE OF OHIO)

) ss:

COUNTY OF FRANKLIN)

I, Dorian Hall, after being duly sworn according to law, state as follows:

- 1) I am an investigator employed by the Ohio Public Defender ("OPD").
- 2) In the course of my employment, OPD requested that I verify the race of individuals who had served as grand jury forepeople in Hamilton County, Ohio.
- 3) I verified that Foreperson George Morrison is a white male.
- 4) I verified that Foreperson Robert W. Wynne is a white male.
- 5) I verified that Foreperson Louis Steinberg is a white male.

Further affiant saith naught.

Dorian Hall
DORIAN HALL

Sworn to and subscribed in my presence this 18th day of February, 2000

John W. Lee
NOTARY PUBLIC



JOHN W. LEE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOV. 5, 2003

AFFIDAVIT OF MARK ROOKS

STATE OF OHIO)
) ss:
COUNTY OF FRANKLIN)

I, Mark Rooks, after being duly sworn according to law, state as follows:

- 1) I am an investigator employed by the Ohio Public Defender ("OPD").
- 2) In the course of my employment, OPD requested that I verify the race of individuals who had served as grand jury forepeople in Hamilton County, Ohio.
- 3) I verified that Foreperson Winifred Carroll is a white female.
- 4) I verified that Foreperson Inge Stoller is a white female.
- 5) I verified that Foreperson Robert Haney is a white male.
- 6) I verified that Foreperson Kenneth Ruzick is a white male.
- 7) I verified that Foreperson Samuel Ackley is a white male.
- 8) I verified that Foreperson Robert Byles is a white male.
- 9) I verified that Foreperson Frank M. Yunger is a white male.
- 10) I verified that Foreperson Kenneth M. Keefe is a white male.

Further affiant saith naught.


MARK ROOKS

Sworn to and subscribed in my presence this 18 day of February, 2000


NOTARY PUBLIC

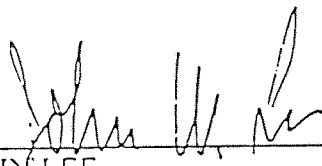
AFFIDAVIT OF JOHN LEE

STATE OF OHIO)
) ss:
COUNTY OF FRANKLIN)

I, John Lee, after being duly sworn according to law, state as follows:


- 1) I am an investigator employed by the Ohio Public Defender ("OPD").
- 2) In the course of my employment, OPD requested that I verify the race of individuals who had served as grand jury forepeople in Hamilton County, Ohio.
- 3) I verified that Foreperson Raymond L. Helferich is a white male.
- 4) I verified that Foreperson John Jaspers is a white male.
- 5) I verified that Foreperson William J. Krueger is a white male.

Further affiant saith naught.



JOHN LEE

Sworn to and subscribed in my presence this 18 day of February, 2000



NOTARY PUBLIC

DORIAN L. HALL
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JULY 7, 2003

FRIENDLY FOREMEN

ARE HAMILTON COUNTY JUDGES CALLING ON FRIENDS TO HELP ISSUE DEATH PENALTY INDICTMENTS?

by Jamie Pietras

You can't talk criminal justice in Ohio without talking race and economics.

Proportionally speaking, there are far more African-Americans in jail and on death row than other demographic groups. African-Americans make up only 12 percent of Ohio's population, but make up about 50 percent of those waiting to be executed in Lucasville's death chamber. Likewise, Ohio jails as a whole are just over 50 percent black.

Conversely, the powers that hold the keys to the justice system—the attorneys and judges—are overwhelmingly white. In a report issued last year, the Ohio Commission for Racial Fairness surveyed judges and attorneys across the state. Ninety-six percent of judges were white, as were 86 percent of attorneys.

Now, attorneys in the Ohio Public Defender's office have discovered information that adds fuel to the already inflammatory racial undertones of death-penalty politics.

The public defender found that in Hamilton County, the runaway leader in death-penalty convictions, grand jury forepersons seem to have a lot in common with the judges and prosecutors: They're very white and they're very male.

The Hamilton County prosecutors and judges contacted by *Columbus Alive* didn't think this was a big deal. The wheels of justice turn at the same pace for all, regardless of race, they contend. But public defenders argue the finding smacks of racial insensitivity.

The revelation came out of the pending federal appeals of African-American death row inmates William Henry Smith and Shawn Hawkins.

In 1995, U.S. District Judge for Southern Ohio S. Arthur Spiegel gave Smith's attorneys access to the names and addresses of all grand jurors and grand jury forepersons that had returned death indictments in Hamilton County since 1982. In 1998, U.S. District Judge Susan Dlott allowed updated information be released in the Hawkins case.

Smith was indicted in 1987 for the rape and murder of a 47-year-old Cincinnati woman. Hawkins was indicted in 1989 for shooting and then robbing two men. Both Hawkins and Smith were sentenced to death. Like all death cases, their eventual convictions began with indictments from a grand jury.

Completely secret judicial bodies kept away from the public eye, grand juries help turn the keys on the ignition of the death machine. Unlike the trial juries that actually hear death penalty cases and deliver sentences, the identity of grand jurors is never made public. They hear evidence from the prosecutor and then choose whether or not to indict someone with death-penalty specifications. In Hamilton County, 12 grand jurors are needed to indict—11 randomly

foreperson.

Using the grand jury information released by both judges, the public defender's office tracked down the 87 grand jury forepersons that returned death indictments from 1982 through 1998.

The public defender hired the Minnesota-based National Jury Project Midwest to help crunch the numbers, and when the results came back earlier this year, the public defender's attorneys had their worst suspicions confirmed: In Hamilton County, there were a mere four African-American forepersons of grand juries returning death-penalty indictments from 1982 through 1998.

Had this been consistent with the number of African-Americans in Hamilton County, there should have been 18 or 19 African-American forepersons. In the first five years after capital punishment was reinstated in Ohio, when 13 men were sentenced to death in Hamilton County, there were no African-American forepersons.

Women, too, were underrepresented. Roughly 22 percent of the 87 forepersons were women, though more than half the county's residents are women.

Why the discrepancy?

"Is there some law that says you have to have a certain number of African Americans serve as grand jury forepersons? Then they weren't underrepresented."

**—Judge Thomas Crush,
Hamilton County Common Pleas Court**

In Hamilton County, grand juries are selected from a random sample of registered voters supplied by the local board of elections. The foreperson, however, is selected by a judge.

According to public defender data, the same six people each served twice as grand jury forepersons. Two people each served as forepersons on three different grand juries.

"It's pretty apparent there's something wrong in that county," said Larry Komp, a public defender working on Smith's case.

"You don't see something like that unless you're in the deep South," added fellow public defender Jane Perry.

The public defenders suspected judges were merely choosing their friends to serve as grand jury forepersons.

In an interview last week with *Columbus Alive*, Hamilton County Common Pleas Court Judge Thomas Crush as much as confirmed this fear while pooh-poohing the public defenders' concerns. "Maybe [judges'] friends are mostly white and that accounts for the white forepersons," Crush admitted. "Public defenders will make significant anything they can."

While he said he usually picked a foreperson from the random pool provided by the board of elections, Crush said he may have chosen someone he knew once. "I just say, 'Who's available?'" said Crush,

cases. "You can't assume that just because a judge appoints someone he knew, that [the foreperson] is a stooge....It's insulting to people who've been appointed to say these haven't been good grand juries."

State Treasurer Joe Deters, who put 22 men on death row in his tenure as Hamilton County prosecutor from 1992 to 1998, said the foreperson's role shouldn't be overstated. "They're quite insignificant. They handle the bookkeeping and clerical duties for the jury itself."

But they do have a vote, just like other grand jurors.

When asked about the significance of the public defender's findings, Crush offered a simple answer. "Is there some law that says you have to have a certain number of African Americans serve as grand jury forepersons?" the judge asked rhetorically, then concluded that "they weren't underrepresented."

While there may not be a state constitutional statute or court precedent dictating the proper composition of grand jury forepersons, the U.S. Supreme Court ruled in April 1998 on a similar claim brought forth by a defendant in Louisiana.

Terry Campbell, a white man indicted

he taken. "I've never appointed a Chinaman, Japanese, an Aleut," Crush said. He likened the efforts of the anti-capital-punishment movement to those of liberal groups such as Greenpeace. "The anti-capital-punishment people will never stop," he said.

Deters was aware the public defender's office had the grand jury information, but didn't know about the National Jury Project's analysis. "I'm not familiar with that study, but there's a series of studies, so to speak, and generally they're all shams," Deters said. "I can tell you categorically that some of our toughest and staunchest jurors in these cases have been African-Americans, and to infer otherwise is a pretty racist thing to do."

He continued, "I don't know what the race of a juror has to do with their ability or inability to follow the law. To infer that African-Americans won't follow the law, I think, is a very racist thing to allege....If I filed a motion saying we're not getting enough white jurors, could you imagine the outrage from the liberal community? It would be deafening how upset everyone would get, and rightfully so."

"The bottom line on all these things," Deters said, "is that the state public defender's office and those who wish we didn't have a death penalty in this state are grasping at straws and trying to throw everything they can against the wall and hoping something sticks."

Ohio Supreme Court Chief Justice Thomas Moyer wouldn't comment specifically on the grand jury foreperson issue, but said, "I do know from talking to people who've been forepersons that it's a commitment of time and sort of mental resources. But, I don't know why there would be, in a county that large, somebody that served three times."

In Cuyahoga County, judges also hand-pick grand jury forepersons, who don't have to come from the jury pool. Usually, the court opts for a noteworthy member of the community, said Noble Guila, commissioner of the Cuyahoga County Court of Common Pleas. The *Cleveland Plain Dealer* always publishes pictures and bios of grand jury forepersons.

In Franklin County, nine members sit on a grand jury and seven are needed to indict. Grand jurors are randomly drawn from registered voter rolls. A foreperson is selected from the existing jurors by prosecutors and Common Pleas Court Bailiff Melanie McCoy.

When asked whether she thought racial composition of a grand jury was significant, McCoy said, "The thought's never come across my mind." She noted that women have always been well represented on Franklin County grand juries.

David Bodiker, Ohio Public Defender, admits that, practically speaking, the composition of the grand jury won't do much to affect the outcome of an indictment.

"My experience is that the grand jury would indict a ham sandwich if the prosecutor told them to," Bodiker said. "What I'm sure is involved is the fact that we have such difficulty with Hamilton County, with the judges, with the attorneys.... When you get an obvious and apparent defect, it's a chink in the armor and you can go after it."

Crush is tired of the race-baiting. "I don't give a damn about race," he said.

EXHIBIT

43

COLUMBUS ALIVE - JULY 24, 2006 - PAGE 11

1

AS FAR AS A LOOK ALIKE, I CAN'T BELIEVE YOU HIT
ON THAT! YOUR ATTY. SHOULD SPEAK TO ONE OF OUR ^{SECURITY}

BUT HE + RSF WERE ALWAYS TALKING ABOUT GETTING A VAGRANT'S BODY WHO COULD REPLACE RSF. I KEPT TELLING THEM THEY WERE NUTS. LARRY ENCOURAGED HIM SINCE HE WAS AN OPERATOR AND ^{PHONE (DISPATCHER)} KNEW WHEN BODIES CAME IN. LARRY + ROBERT EVEN AGREED ON LARRY'S 'FEE' OF \$100,000 AS I RECALL.

I THINK THAT'S WHY HE KEPT TRYING TO GET TOGETHER WITH KATHY THOMAS, OUR INSURANCE AGENT FOR ANOTHER

MILLION IN COVERAGE, AND SAYING IT WAS FOR ME BECAUSE I WOULDN'T BE ABLE TO TAKE CARE OF MYSELF. SHE TESTIFIED THAT THE 3 OF US WERE PLAYING 'PHONE TAG' IN NOVEMBER. AT MY TRIAL - DID SHE SAY THAT AT YOURS?

BUT THE HOLIDAYS WERE BUSY SO RSF SAID HE'D DO IT IN JANUARY WHEN THINGS SLOWED DOWN. SO, I KNEW ABOUT THE MILLION BECAUSE I WAS INVOLVED IN THE 'PHONE TAG' TRYING TO HELP MAKE AN APPOINTMENT. HE WAS DETERMINED TO GET IT ASAP IN JANUARY. HE HAD TO SCHEDULE A COMPLETE EXAM TO GET A MILLION. I BELIEVE HE UPPED THE ST. FARM FROM 250K TO 300K BECAUSE HE DIDN'T NEED AN EXAM FOR THE EXTRA 50K. I SWEAR I DID NOT KNOW ABOUT THE EXTRA 50K.

HE HAD A PRIVATE INVESTIGATOR'S LICENSE IN THE STATE OF FLORIDA AND SOLD IT JUST BEFORE I MET HIM. WAIT — HE WAS STILL SERVING SUPCENAS — I WENT FOR THE RIDES WITH HIM. HE HAD ALREADY BEEN WORKING FOR W. W. GRANGER, INC. (ON THE STOCK EXCHANGE). BUT A COUPLE OF YEARS LATER HE WAS AFRAID THEY WERE GOING TO TAKE PART OF HIS AREA AWAY (LESS COMMISSIONS) SO HE SAID HE HURT HIS BACK AT THE OFFICE/WAREHOUSE AND WENT ON WORKMEN'S COMP. FOR A COUPLE OF YEARS AND MADE A SETTLEMENT, PLUS GOT 100% OF HIS RETIREMENT FUND.

I DIDN'T PAY A LOT OF ATTENTION TO HIS GOINGS ON, I WAS AFRAID OF HIM SOMETIMES. HE COULD BE QUITE VIOLENT. IN FACT, WHEN HE MET ME, HE WAS STILL MARRIED + LIED AND SAID HE WAS DIVORCED BECAUSE HE WAS AFRAID I WOULDN'T WANT TO GO THROUGH THAT. HE PAINTED HER SILVER LINCOLN WITH BLACK PAINT WHILE SHE WAS AT WORK, STOLE HER BAG WITH #?/1@# PICTURES IN IT, TOLD EVERYONE SHE SLEPT WITH HER

EX-HUSBANDS FATHER (HER FATHER-IN-LAW). HE SOLD me the HOUSE SO SHE WOULDN'T GET ANY MONEY. HE WAS PLANNING HOW TO THROW A MOLOTOV COCKTAIL THROUGH HER ATTY'S, HOUSE WINDOW. AT THE SAME TIME HE WAS FIGHTING WITH HIS FIRST WIFE OVER CHILD SUPPORT + TRANSFERRED A 25K CD INTO my NAME. HE SAID HE WAS PENNILESS AND HAD NO PLACE TO LIVE. HE WAS A VICIOUS MAN, ONE YOU'D BETTER NEVER PISS OFF. HONEST. HE RIPPED OFF MANY CREDIT CARD COMPANIES. WE WERE EARNING OVER 200K A YEAR, BUT IT WAS NEVER ENOUGH. IT'S LIKE HE JUST HAD THAT IN HIM.

AS FOR ME, I WAS ALREADY WORKING FOR THE PLASTIC SURGEON FOR 9 YEARS WHEN WE MET, IN JUNE, 1981. WE WERE DIVORCED IN 1985 TO PROTECT MY ASSETS. HE DIDN'T WANT TO TAKE ANY CHANCE OF HIS TWO SONS EVER GETTING ANYTHING. JUDGE THOMAS SWIFT (WARREN) IN PROBATE SAW HIS WILL: 1¢ TO THEM, OF COURSE, HIS KIDS CAME UP TO OHIO TO FIGHT IT - AFTER HIS FUNERAL. THEY ARE EXACTLY LIKE HIM, MONEY GRUBBERS.

KATHY THOMAS
C/O STATE FARM
MAHONING AVE.
Y-TOWN 44515
330-793-1136

LARRY SOUTHWICK
C/O GREYHOUND BUS STATION
E. MARKET ST.
WARREN, OHIO 44

MARRIED
6.22, 1983

DEAR HONORABLE

JUDGE STUART:

I NATHANIEL JACKSON AM WRITING IN REGARDS TO DIFFERENT COUNCIL, DUE TO THE FACT THAT MY ATTORNEY ANTHONY CONSOLDANE IS NOT REPRESENTING ME RIGHT AN I HAVE A CAPITOL MURDER CA AN NOT ONE TIME HAS HE BEEN TO BRING NONE OF THE TAPINGS SO THAT I CAN HEAR THEM, AN EVERYTIME HE CAME TO SEE ME HE WAS ALWAYS SUPPOSE TO BEEN HAVE BRINGI THEM BUT KEEP COMING WITH EXCUSES AN ITS STARTING TO SCARE ME BECAUSE HE'S GOT ME THINKING NOW THAT HE'S AGAINST ME, AN THEN HE LAUGHED IN MY FACE AN TOLD ME THAT HE DIDNT HAVE TO COME IN ON HIS OFF DAY, BUT WHO WAS THE PURPOSE WHEN HE STILL DIDNT BRING THE INFORMATION THAT IVE BEEN ASKING FOR SINCE DECEMBER, AN HE GOT VERY PERSONAL WHEN I ASKED IF HE HAD TIME TO TAKE MY CASE BECAUSE WHEN HE CAME IN HE QUOTE IVE BEEN VERY BUSY AN HAVEN'T HAD THE TIME TO GET DOWN TO SEE YOU SO I CAME ON MY OFF DAY AN WHEN I ASKED ABOUT THE INFORMATION THAT HE'S BEEN PUTTING OFF HE GOT RATHER PERSONAL AN TOLD ME THAT HE WAS FINISH TALKING WITH ME, BUT YOUR HONOR HE IS NOT BEEN WORKING WITH ME AN I WOULD LIKE FOR THE COURTS TO APPOINT ME NEW COUNCIL BECAUSE IM DEALING WITH MY LIFE AN HE'S NOT TAKING MY CASE SERIOUS, AN I WOULD RATHER STAND TRIAL BY MYSELF THEN TO HAVE ANTHONY CONSOLDANE SO PLEASE YOUR HONOR TAKE THIS REQUEST INTO CONSIDERATION BECAUSE MY LIFE IS AT STAKE. THANK YOU

NATHANIEL JACKSON

EXHIBIT

45

INDIVIDUALIZED EDUCATION PROGRAM

Initial Placement: Date 2-18-86

Periodic Review: Date _____

School Year 89-90Pupil's Name (Print) NATE JACKSON Birthdate 2-13-72 Age 17 Handicap MH(SBH-DH)Parent/Guardian PAULINE KORNEGAY Address 309 S. PEARLE Phone —School District of Residence: YOUNGSTOWN School District or Educational Agency of Attendance: EAST STAMBAUGH
(Home School) (Service School)Student Number 0016-77-20 Grade 11 Plan Date 11-17-89

PROGRAM & SERVICES	CHECK NEEDS	DATE TO BE INITIATED	ANTICIPATED DURATION	COMMENTS	EVALUATION PROCEDURES COMPLETED:		INFORMATION GATHERED
					Date Completed:		Comments:
Regular Class					<u>6-1-89</u>	Medical	<u>6-1-89</u>
Supplemental Service					<u>2-16-89</u>	Psychological	<u>BINET</u>
Ind. Sm. Group Inst.					<u>1-18-89</u>	Hearing-Screening	<u>PASSED AT 20 DECIBELS.</u>
Spec. Class/L.C.	✓	<u>11/89</u>	<u>one year w/ review</u>	<u>(MH UNIT STAMBAUGH)</u>	<u>4-21-89</u>	Speech/Language, Testing	<u>TOAL-2</u>
Home Instruction					<u>1-18-89</u>	Audiogram	
Speech & Hearing					<u>1-18-89</u>	Visual Screening	<u>FAILED.</u>
Work-Study						Teacher Assistant Team (TAT)	
Adapted Phys. Ed					<u>6-10-89</u>	Placement Conf. (Parent)	
Transportation	✓	<u>11/89</u>	<u>one year w/ review</u>			Orthopedic	
Other	<u>11-13-89 to</u>					Other	
Other							
					Evaluation Date Conform to Rules: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>		

EXTENT OF PARTICIPATION IN REGULAR EDUCATION PROGRAM: NONE

PRESENT LEVELS OF PERFORMANCE in the following appropriate areas:

Medical: NONE Diet Restrictions NONE Medication NONEVision: Wears Corrective Lens Yes ☒ No ☐Reading Level: Word Rec. 10.0 Oral Reading 11.0Reading Comprehension 10.0 SPELLING - 62.8Math Calculation 5.0 BRIGANCE - SEPT. 1989Math Reasoning 4.0Intelligence: Verbal BINET — Performance — Full 70Adaptive Behavior VINELAND

Learning Modality

Classroom Behavior BES - SIGNIFICANTBehavior Expectancy BEHAVIOR IS DIRECTLY RELATED

FOR USE OF SP/LANG. CLINICIAN: Present Levels of Performance in appropriate areas:

Oral Expression CA: 17-2, SS: 79, M: 100, O: 15Listening Comprehension CA: 17-2, SS: 52, M: 100, O: 15Written Expression CA: 17-2, SS: 76, M: 100, O: 15

Articulation

Voice NORMAL

Fluency

Hearing PASSED.White—CIMS
Canary—Parent
Pink—Coordinator
Goldenrod—CIMSEXHIBIT
46

1. TO ACQUIRE INTERNAL BEHAVIOR MANAGEMENT CONTROLS NECESSARY TO RESPOND POSITIVELY TO THE LEVEL MANAGEMENT SYSTEM 85% OF THE DAYS IN ATTENDANCE USING BASELINE DATA CHARTS.

A. TO GAIN POSITIVE BEHAVIOR POINTS ON A DAILY BASIS 85% OF THE DAYS IN ATTENDANCE USING BASELINE DATA CHARTS.

A. BASELINE DATA CHARTS - 85% ACCURACY.

2. NATE WILL REDUCE PSYCHOSOMATIC PHYSICAL SYMPTOMS AND FEARS RELATING TO SCHOOL AND PERSONAL PROBLEMS.

A. NATE WILL EXPRESS WORRIES AND CONCERNS REGARDING HOME OR SCHOOL IN AN APPROPRIATE MANNER.

A. Teacher observation - 85% performance.

B. NATE WILL REDUCE THE NEGATIVE COMMENTS HE MAKES ABOUT SCHOOL BY TWO SLIPS PER DAY.

B. Baseline data charts - 85% performance. Teacher observation.

THIS IEP WAS DEVELOPED BY THE FOLLOWING CONFERENCE PARTICIPANTS (Include name and title): A. Gregory
(Teacher)

11-27-89 William Estery
Date Placement Committee Chairperson

LEAST RESTRICTIVE ENVIRONMENT

If placement is in a separate facility, document needs that necessitate;

The continuum of program options for which my child is eligible has been explained to me. I have received these brochures and I understand that the indicated placement is the least restrictive.

I HAVE REVIEWED THE IEP AND ACCEPT ☒ DO NOT ACCEPT ☐ THE PROGRAM AND PLACEMENT RECOMMENDATION

11-27-89 PARENT INVITED - DID NOT ATTEND.

Date (Signature of Parent)

I AGREE TO WAIVE MY RIGHT TO RECEIVE NOTIFICATION OF PROPOSED PLACEMENT LETTER BY CERTIFIED MAIL.

Date (Signature of Parent)

CRITERIA AND SCHEDULES FOR PERIODIC (ANNUAL) REVIEW:

- a. Are Instructional Objectives being achieved? 1. Met as stated ☐ Yes ☐ No
2. Made progress ☐ Yes ☐ No No observable progress _____
- b. Is the current placement appropriate? ☐ Yes ☐ Data Base _____
- c. REVIEW SCHEDULE: ANNUAL ☐ SEMI-ANNUAL ☐ Other (Specify) _____
- d. Recommendations for placement and general program for next school year:

State and Federal Rules and Regulations mandate that every handicapped child be re-evaluated at least every three years. This is to NOTIFY YOU THAT YOUR CHILD WILL BE PROVIDED THAT MANDATED RE-EVALUATION prior to your child's next Periodic Review.

Mark if applicable:

White-CIMS
Canary-Parent
Pink-Program Coordin
Goldrod-CIMS

☐ Infor ☐ Chair ☐ on ☐ ☐ Par ☐ Guard ☐ ☐ ☐ Teacher ☐

☐ Parent Signature ☐

89-90

School Year

NATE JACKSON.

Student's Name

Page 3 of 5

Annual Goals:

Short Term Instructional Objectives:

Evaluation Procedures & Criteria:

3. NATE WILL INCREASE WORD RECOGNITION SKILLS.	A. WHEN PRESENTED W/ A LIST OF 10 WORDS COMMONLY FOUND AT THE TENTH GRADE LEVEL, NATE WILL PRONOUNCE THE WORDS W/ 85% ACCURACY. B. WHEN PRESENTED W/ A 10th grade PASSAGE, NATE WILL READ ORALLY W/0 EXPERIENCING DIFFICULTY IN PRONOUNCING MORE THAN TWO WORDS IN 20.	A. INFORMAL TESTING - 85% ACCURACY B. INFORMAL TESTING - 85% ACCURACY.
4. NATE WILL INCREASE HIS ABILITY TO SOLVE COMPREHENSION QUESTIONS FROM 10.0 TO 10.5	A. NATE WILL ANSWER WHO, WHAT, WHERE, WHEN, + HOW QUESTIONS CONCERNING A PASSAGE AT INSTRUCTIONAL LEVEL - READ ORALLY OR SILENTLY. B. NATE WILL BE ABLE TO DRAW CONCLUSIONS FROM A READING SELECTION READ SILENTLY OR ORALLY 85% OF THE TIME.	A. INFORMAL TESTING - 85% ACCURACY. B. INFORMAL TESTING - 85% ACCURACY.
5. NATE WILL INCREASE MATH GRADE LEVEL FROM 5.0 TO 5.5.	A. NATE WILL BE ABLE TO ADD AND SUBTRACT FRACTIONS W/ LIKE AND UNLIKE DENOMINATORS W/ 85% ACCURACY. B. NATE WILL COMPLETE EXERCISES USING DECIMALS IN ADDITION, SUBTRACTION, MULTIPLICATION, + DIVISION W/ 85% ACCURACY.	A. INFORMAL TESTING - 85% ACCURACY. B. INFORMAL TESTING - 85% ACCURACY.
6. NATE WILL INCREASE HIS ABILITY TO SOLVE COMPREHENSION PROBLEMS FROM 4.0 TO 4.5.	A. NATE WILL DETERMINE THE OPERATION NEEDED TO SOLVE A WORD PROBLEM 85% OF THE TIME B. NATE WILL SOLVE WORD PROBLEMS BY ADDING, SUBTRACTING, MULTIPLYING, OR DIVIDING W/ 85% ACCURACY.	A. INFORMAL TESTING - 85% ACCURACY. B. INFORMAL TESTING - 85% ACCURACY.

89-90

School Year

NATE JACKSON

Student's Name

Page 4 of 5

Annual Goals:

Short Term Instructional Objectives:

Evaluation Procedures & Criteria:

7. NATE WILL INCREASE HIS KNOWLEDGE OF ROCKS AND HOW THEY ARE FORMED.	A. NATE WILL BE ABLE TO LIST THE THREE TYPES OF ROCKS FOUND IN THE EARTH'S CRUST + WILL STATE HOW THEY ARE FORMED. B. NATE WILL STATE AT LEAST ONE WAY THAT IGNEOUS, SEDIMENTARY, AND METAMORPHIC ROCKS CAN BE IDENTIFIED.	A. INFORMAL TESTING - 85% ACCURACY. B. INFORMAL TESTING - 85% ACCURACY
8. NATE WILL INCREASE HISTORY SKILLS IN ORDER TO INCREASE UNDERSTANDING OF AMERICAN HISTORY.	A. NATE WILL LIST 5 BASIC RIGHTS OF ALL AMERICAN CITIZENS. B. NATE WILL LIST 4 BELIEFS STATED IN OUR CONSTITUTION W/ 85% ACCURACY.	A. INFORMAL TESTING - 85% ACCURACY. B. INFORMAL TESTING - 85% ACCURACY.
9. NATE WILL INCREASE GRAMMAR SKILLS.	A. GIVEN 10 SENTENCES, NATE WILL UNDERLINE THE SIMPLE SUBJECT ONCE + THE SIMPLE PREDICATE TWICE. B. GIVEN 10 SENTENCES, NATE WILL WRITE WHETHER THE SENTENCE IS DECLARATIVE, INTERROGATIVE, IMPERATIVE, OR EXCLAMATORY W/ 85% ACCURACY.	A. INFORMAL TESTING - 85% ACCURACY. B. INFORMAL TESTING - 85% ACCURACY.
10. NATE WILL INCREASE HIS PERFORMANCE IN DAILY HABITS OF BODY CARE AND CLEANLINESS.	A. NATE WILL PRACTICE REGULARITY IN BATHING AND SHOWERING HABITS. B. NATE WILL PRACTICE REGULARITY IN CHANGING INTO CLEAN CLOTHES ON A DAILY BASIS.	A. Teacher observation B. Teacher observation.

88-89

School Year

NATE JACKSON.

Student's Name

Page 5 of 5

Annual Goals:

Short Term Instructional Objectives:

Evaluation Procedures & Criteria:

<p>11. TO ENABLE STUDENTS TO ACQUIRE AND DEVELOP THEIR POWERS OF EXPRESSION BY VISUAL MEANS USING VARIOUS MEDIAS.</p>	<p>A. NATE WILL DISCOVER IDEAS FOR ART IN PERSONAL EXPERIENCES. B. NATE WILL TRANSFER HIS IDEAS TO CREATE ART. C. NATE WILL WORK WITH MEDIA TO MAKE ART. D. NATE WILL PERCEIVE AND DESCRIBE WORKS OF ART.</p>	<p>11A-11D: STUDENTS SHALL HAVE SUCCESSFULLY COMPLETED 80% OF ALL PROJECTS, TO BE DETERMINED BY A CHECKLIST OF ALL PROJECTS FOR THE YEAR.</p>
<p>12. TO IMPROVE NATE'S LEVEL OF PHYSICAL FITNESS IN AT LEAST FOUR OR MORE OF THE 11 PARTS OF FITNESS.</p>	<p>A. NATE WILL BE ABLE TO DO AT LEAST TEN PUSH-UPS, B. NATE WILL BE ABLE TO ENDURE A TWO-THREE MINUTE RUN.</p>	<p>12A + 12B: TEACHER OBSERVATION.</p>
<p>13.</p>		
<p>14.</p>		

Least Restrictive Environment Options

(Confidential Student Information)

The following continuum of program options has been considered for NATE JACKSON,
(Student's Name)

on 11-17-11, at the IEP meeting with the following participants:
(Date)

S. GREGORY (TEACHER) BILL ESTERLY

What is the least restrictive environment in which this child can be educated?	Circle the appropriate answer.	If "yes" is below the middle line, document the needs which necessitate placement in a separate facility.
Regular class	Yes <input type="radio"/> No <input checked="" type="radio"/>	NATE EXHIBITS THESE BEHAVIORS: 1. TALKING-OUT 2. EXCESSIVE DRUG TALK. 3. OUT OF SEAT 4. HAS A DIFFICULT TIME RECEIVING CONSTRUCTIVE CRITICISM. 5. Negative attitude towards school.
Regular class with supplemental services	Yes <input type="radio"/> No <input checked="" type="radio"/>	
Regular class with individual/small group instruction	Yes <input type="radio"/> No <input checked="" type="radio"/>	
Special class/learning center located in		
Public school building	Yes <input type="radio"/> No <input checked="" type="radio"/>	
Separate school in the district	Yes <input checked="" type="radio"/> No <input type="radio"/>	
County board of mental retardation and developmental disabilities facility	Yes <input type="radio"/> No <input checked="" type="radio"/>	
State School for the Blind or the Ohio School for the Deaf	Yes <input type="radio"/> No <input checked="" type="radio"/>	
State institution operated by Ohio departments of Mental Health; Mental Retardation and Developmental Disabilities; or Youth Services	Yes <input type="radio"/> No <input checked="" type="radio"/>	
Home instruction	Yes <input type="radio"/> No <input checked="" type="radio"/>	

I have been informed of the continuum of alternative placements for which children are considered. I agree that the least restrictive environment for my child is the one indicated above.

Parent did not attend
Parent's Signature

Date

NOTE: This information must be a part of the IEP or attached to the IEP of each student placed in a separate facility.

INDIVIDUALIZED EDUCATION PROGRAM

Student's Name Nathaniel Jackson Date of Birth 2-13-72 School Stambaugh
 Special Service Program Multi-Handicapped Related Service Work Study School Year 1989-90

Annual Goals:	Short Term Instructional Objectives:	Evaluation Procedures & Criteria:
<p>Nate will complete his job training hours as part of the Try_out Program and be retained as part of the employers regular employees.</p> <p>Date: <u>Febryuary 9, 1990</u> Chair: <u>James H. Smith</u> Coordinator: <u>Colleen Kestel</u> Student: <u>Nathaniel Jackson</u></p>	<p>Nate will exhibit appropriate retention and execution of learned job tasks thru-out his training.</p> <p>Nate will evidence appropriate school attendance and work attendance.</p> <p>Nate will exhibit appropriate behaviors related to employability: Time management, good communication and sociability, appropriate attitude with co-workers and customers, cooperation, responsibility ability to accept constructive criticism.</p> <p>Nate will maintain appropriate academic attitude and competence and school cooperation thru-out his job training.</p> <p>* Nate will follow ALL THE RULES AND PROCEDURES AT THE WORKPLACE FOR BEHAVIOR, CALLING OFF AND SIGNING IN.</p>	<p>Periodic written/oral work evaluations from th employer will be shared with teacher, parent, principal and program coord.</p>

CRITERIA & SCHEDULES FOR PERIODIC (ANNUAL) REVIEW:

Date: _____

a. Are Instructional Objectives being achieved? Yes ☐ No ☐1. Met as stated: Yes ☐ No ☐2. Made progress: Yes ☐ No ☐b. Is the current placement appropriate? Yes ☐ No ☐ Data Base _____c. Review Schedule: Annual ☐ Semi-Annual ☐ Other (Specify) _____

d. Recommendations for placement and general program for next school year: _____

Conference Chairperson

Parent/Guardian

Teacher

White—Program Coordinator; Canary—CIMS; Pink—Parent; Goldenrod—CIMS

Enter information in pencil

Birthdate 2-13-72 Home Address 313 South Pearl Phone 743-5365
 Father's Name _____ Business Phone _____ Mother's Name Pauline Business Phone _____
 1) School Roosevelt 2) School Thomits Hayes 3) School Transitional 4) School _____

IMMUNIZATIONS

TYPE	Date	Date	Date	Date	Date
•DPT	4/19/72	8/17/72	8/7/72	8/13/73	2/23/76
Td					
•Polio Sabin(Tri)	4/19/72	6/12/72	8/7/72	8/13/73	2/23/76
•Measles	3/12/72	8/13/73			
•Rubella	2/28/73				
Mumps	10/23/84				
Other <u>Tine</u>	2/4/77	⊖			

• Required by Compulsory Immunization Law, Section 3301.07 of Ohio Revised Code

Indicate any conditions and/or diseases of the student the teacher should know of _____

Additional Screening Dental	Date	Test	Result		
	5-77	DH	N		
	10-78	DH	1 P. 2 LLM		
	1/24/84	Scoliosis	N		
Health Examinations	Date	Date	Date	Date	Date
	11-74 2 P				

SCHOOL HEALTH RECORD

HEARING

Date	Result	Date	Result
	Right	Left	
12/16/79	N	F	1-18-89 P P (MFL)
10/23/80	N	N	
3/84	N	N	

SPEECH

☐ Normal ☐ Articulation Problem ☐ Rhythm
☐ Voice Disorder ☐ Language Problem
 Other _____
 Check appropriate box when applicable:
☐ Maximum Improvement ☐ Corrected

VISION

Date	Result	Date	Result
12/14/78	Passed	1/89	Pass
11/80	Passed		
	Right	Left	
12/14/78	50	40	
11/80	30	70	
1/82	50	50	
12/5/86	* (50)	(100)	
1-18-89	* see inside	Fail	Fail

TUBERCULIN

Date	Type	Result	Date	Type	Result
2/22/78	TINE	(-)			

STUDENT NAME		STUDENT NUMBER		SCHOOL YEAR	GRADE	SCHOOL		HOME ROOM	
JACKSON NATE		0016-77-20		1989-90	11	STAMBAUGH		107	

COURSE CODE	COURSE DESCRIPTION	INSTRUCTOR	1-MARK 2-CONDUCT 3-ABSENT			SEMESTER		1-MARK 2-CONDUCT 3-ABSENT			FINAL							
			1	2	3	1	2	3	1	2	3	1	2					
SA4	ENGLISH III	GREGORY SUZETTE	A	S		C	S	5			F	S	20	F	S	44	F	F
SB4	READING III	GREGORY SUZETTE	C	S		C	S	5			F	S	20	F	S	44	F	F
SC5	U.S. HIST	GREGORY SUZETTE	C	S		C	S	5			F	S	20	F	S	44	F	F
SF4	CON MATH I	GREGORY SUZETTE	C	S		D	S	5			F	S	20	F	S	44	F	F
SG4	ECOLOGY	GREGORY SUZETTE	C	S		D	S	5			F	S	20	F	S	44	F	F
SI4	AD P.E. III	GREGORY SUZETTE	W	S		D	S	5			F	S	20	F	S	44	F	F

CURRENT YEAR		CUMULATIVE		
CREDITS EARNED	GRADE POINT AVERAGE	CREDITS ATTEMPTED	CREDITS EARNED	GRADE POINT AVERAGE
		18.75	12.50	

ATTENDANCE				DATA				
REPORT PERIOD	ABSENT ①	TARDY	ABSENT ①	TARDY	ABSENT ①	TARDY	ABSENT ①	TARDY
			5.0		29.0		44.0	

MARKING CODE	CONDUCT CODE
A - EXCELLENT B - ABOVE AVERAGE C - AVERAGE D - BELOW AVERAGE F - FAILING W - WITHHELD P - PASSING S - SATISFACTORY U - UNSATISFACTORY WF - WITHDRAWN FAILING	S - SATISFACTORY U - UNSATISFACTORY I - IMPROVING

REPORT TO PARENTS
THIS IS A REPORT OF YOUR CHILD'S ACHIEVEMENT IN RELATION TO STANDARDS FOR THE COURSES TAKEN. IF AT ANY TIME YOU HAVE QUESTIONS CONCERNING HIS/HER PROGRESS, YOU ARE URGED TO ARRANGE FOR A CONFERENCE WITH THE TEACHER AND/OR THE PRINCIPAL. THIS REPORT MUST BE SIGNED BY THE PARENT OR GUARDIAN AND RETURNED TO THE PUPILS HOME ROOM TEACHER. PARENT'S OR GUARDIAN'S SIGNATURE _____

STUDENT NUMBER		SCHOOL YEAR	GRADE	SCHOOL	HOME ROOM
0016-77-20		1988-89	10	STAMBAUGH	107

COURSE DESCRIPTION	INSTRUCTOR	1-MARK 2-CONDUCT 3-ABSENT			SEMESTER		1-MARK 2-CONDUCT 3-ABSENT			FINAL					
		1	2	3	EXAM	MARK	1	2	3	EXAM	MARK				
SBH HEALTH	SUZETTE GREGORY	A	S	1	F	S	17	C	S	9	D	S	9	F	D
SBH AD P.E. II	SUZETTE GREGORY	B	S	1	F	S	17	B	S	9	D	S	9	C	D
SBH GEN MATH II	SUZETTE GREGORY	C	S	1	F	S	17	D	S	9	C	S	9	F	D
SBH READING II	SUZETTE GREGORY	B	S	1	F	S	17	C	S	9	C	S	9	D	D
SBH WORLD HIST	SUZETTE GREGORY	C	S	1	F	S	17	D	S	9	D	S	9	A	D
SBH ENGLISH II	SUZETTE GREGORY	C	S	1	F	S	17	D	S	9	D	S	9	B	D
SBH CONS ED	SUZETTE GREGORY				F	S		C	S	9	F	S	9	F	F
SBH ART HANDWK	SUZETTE GREGORY				F	S	17	C	S	9	B	S	9	F	C
SBH BIOLOGY	SUZETTE GREGORY				F	S	17	D	S	9	D	S	9	B	D

CURRENT YEAR		CUMULATIVE	
CREDITS EARNED	GRADE POINT AVERAGE	CREDITS ATTEMPTED	CREDITS EARNED
6.25		13.50	12.50

ATTENDANCE DATA			
REPORT PERIOD	ABSENT ① TARDY	ABSENT ① TARDY	ABSENT ① TARDY
	1.0	17.0	2 9.5

MARKING CODE	CONDUCT CODE
A - EXCELLENT B - GOOD C - AVERAGE D - POOR F - FAILING W - WITHHELD P - PASSING S - SATISFACTORY U - UNSATISFACTORY WF - WITHDRAWN FAILING	S - SATISFACTORY U - UNSATISFACTORY I - IMPROVING

REPORT TO PARENTS
THIS IS A REPORT OF YOUR CHILD'S ACHIEVEMENT IN RELATION TO STANDARDS FOR THE COURSES TAKEN. IF AT ANY TIME YOU HAVE QUESTIONS CONCERNING HIS PROGRESS, YOU ARE URGED TO ARRANGE FOR A CONFERENCE WITH HIS TEACHER AND/OR THE PRINCIPAL. THIS REPORT MUST BE SIGNED BY THE PARENT OR GUARDIAN AND RETURNED TO THE PUPILS HOME ROOM TEACHER.
PARENT'S OR GUARDIAN'S SIGNATURE _____

DISCHARGE SUMMARY

200457
 NAME: Nathaniel Jackson
 RECORD#:
 ADMISSION DATE: 3-17-00
 DISCHARGE DATE: 3-20-00
 DISCHARGE STATUS: W.S.A.
 PROGRAM: Stabilized
 REFERRAL SOURCE: Self

DIAGNOSTIC IMPRESSIONS

AXIS I 304.20 Cocaine Dep., 303.90 Alcohol Dep., 304.30 Cannabis Dep.
 AXIS II 799.9 delirium
 AXIS III Asthma self reported
 AXIS IV homeless, relationships, financial, work
 AXIS V G-DF 4)

IDENTIFYING DATA:

This 28 year old African American male was self referred to stab. due to daily use of Cannabis and cocaine. Has a history of three prior treatments one in 98 and two in 99. Reports no 13yr history of treatment. Has been using chemicals since age 13.

CLINICAL SUMMARY:

Male was in stab. program. He participated in individual, group and educational programming. He was also introduced to self help support groups of AA/NA/CA. He completed stab. with completion.

DISCHARGE INFORMATION:

① Abstain from all mood altering chemicals ② Attended at least 3 AA/NA/CA meetings per month. ③ Keep appointment at Penobscot on 3/23/00

Rachel W. Humphreys
 Counselor Signature

Paul Scott
 Physician Signature

As required by Section 2.02 of the Federal Law, this information has been classified as confidential. Federal regulations (45 CFR 162.104) prohibit you from making any further disclosure of this information without the written consent of the individual to whom it pertains, or as otherwise permitted by such regulations. A release of this information for medical or other purposes is not sufficient for this purpose. The Federal regulations do not restrict any use of this information for criminal investigation or prosecution or for drug control.

EXHIBIT

48

NEIL KENNEDY EVERY CLINIC

CLIE E:

200457

LEVEL OF CARE ASSESSMENT

CLIENT NUMBER

Nathaniel Jackson

Date: 3/18/00

Placement Recommendations

RESIDENTIAL: Detox Rehab TON ☒ Stabilization DiversionOUTPATIENT: Partial Hosp. R-IOP CO-IOP KAR-IOPAssessment Only OtherCRESTWOOD: A-IOP D-IOP E-IOP Adolescent L/I GroupAdult L/I Group L/I Individual Adolescent Ed. Grp.

Diagnostic Impressions

Axis I (Primary Diagnosis)

304.20 cocaine dependence

Axis II (Personality/MR)

305.50 opioid abuse
303.90 alcohol dependence
304.30 anxiety disorder
799.9 depression

Axis III (Physical)

Asthma - none current

Axis IV (Psycho/soc stress)

homeless, relationship,
financial, work, street lifestyle

Axis V (Adaptive functioning):

Current GAF: 45DSM IV Criteria Met: Dependence: 6 of 7 (Minimum 3 necessary for Dx)
Abuse: of 4 (Only 1 necessary for Dx)

Case Mgmt. Services Needed:

Bodnar

Assessment Counselor:

Therapist on duty

Diagnostic Counselor (if different)

Jim Evans MS

Revised 7-99

As created by Section 104 of the Federal Information Privacy Act of 1974 (5 U.S.C. 552a). This document has been disclosed to you in accordance with the provisions of the Federal Information Privacy Act (5 U.S.C. 552a) and the Federal Information Privacy Regulations (44 C.F.R. 1.101-1.104). This document is not to be used for any purpose other than the one for which it was disclosed. The Federal Information Privacy Act and the Federal Information Privacy Regulations prohibit any use of information to identify, investigate or prosecute any individual or entity.

NEIL KENNEDY VERY CLINIC

CLIENT NAME:

LEVEL OF CARE ASSESSMENT

CLIENT NUMBER:

3 Frequency that alcohol/drugs used more or for longer period than intended?
☒ Very often ☐ Often ☐ Occasionally ☐ Seldom ☐ Never

4 Persistent desire or unsuccessful efforts to cut down/control use? ☒ Yes ☐ No

5 Great deal of time spent using, procuring, recovering from use? ☒ Yes ☐ No

BIOMEDICAL CONDITIONS:

① 2 3 4 5 6 7 8 9

☐ High Blood Pressure ☐ Heart Disease ☐ Diabetes ☐ Liver Disease

☐ Recent Weight Change ☐ Disabilities/Impairments ☐ Other (describe) _____

Asthma - no current problems. Bullets in back

Recent accidents/injuries? none reported leg taken

Current medications, including psychotropics:

Name	Condition	Dose	Frequency	Last Dose
------	-----------	------	-----------	-----------

None reported

As required by Section 2.32(a) Protection of information has been disclosed to you for a research purpose. This information is protected by Federal regulations (42CFR part 2) which prohibit disclosure of it without the specific written consent of the individual to whom it pertains. A written consent is required for the release of medical or other information for research purposes. The Federal Privacy Act and the Freedom of Information Act do not apply to this purpose. The release of this information is not subject to any use of this purpose. The release of this information is not subject to any use of this purpose. The release of this information is not subject to any use of this purpose.

Comments: used to have asthma - asthma -
has borrowed mother's inhaler a couple times

EMOTIVE/BEHAVIORAL CONDITIONS:

① 2 3 4 5 6 7 8 9

Existing/prior psychiatric condition or diagnosis? none reported

Psychiatric hospitalizations (dates & treatment results) none reported

Any suicidal/homicidal thoughts or gestures ☐ Past ☐ Current

denies past or current ideation

Any recent, major losses or past emotionally traumatic experiences? friend killed;
stated in last assessment - could

not remember who - stated brain all
"freaked up" from drug use

LEVEL OF CAA ASSESSMENT

CLIEP N. DE:

CLIENT . MEMBER:

RELAPSE POTENTIAL:

1 2 3 4 5 6 7 8 9

Knowledge of or ability to avoid environmental triggers (people, places, things) __ Good ☒ Poor __?

Openness to AA/CA/NA involvement Eager Willing Hesitant Resistant

Any prior 12-step involvement? Went to a couple of the vict harvest

Primary weaknesses/barriers to maintaining abstinence (preoccupation, people, environment, etc.)

Primary strengths/assets that can help maintain abstinence and complete treatment objectives?

Longest abstinence from all mood altering chemicals? _____ When? _____

Comments: 5/2 yrs in prison 3/4 in OH, in 89-

4 went down again 96-8 more mo.
Snap he snaps - temper - goes all the out

RECOVERY ENVIRONMENT:

1 2 3 4 5 6 7 8 9

RECOVERY ENVIRONMENT: 1 2 3 4 5 6 7 8 9

Present home environment: Stable Supportive Contentious Chaotic Unsafe

Exposure to alcohol/drugs in the home (presence of or usage) has been drinking
around

Person (s) client is willing to involve in treatment: Alvina, girl friend

Exposure to drugs/alcohol in ✓ Social Work School environments _____

Currently exposed to or at risk of Physical Emotional Verbal Sexual Abuse

Past/Current legal problems? None current 1989 - Complicity murder
1996 - SCW; harney

Currently on probation/parole? No Yes _____ weapon while
disarmed

Current life stressors: Family Marital/Relationship Work Friends Legal
Financial Educational Health Housing Other Street life

Problems/Barriers that may impact ability to attend/participate in recommended treatment: _____
Transportation Child Care Disability Other _____

Comments: _____

any person or organization is not to be used for any purpose. The Federal Rules restrict any use of information to criminal investigations or processes and do not allow any other use.

Neil Kennedy Recovery Clinic

Level of Care Review

200457

Nathaniel Jackson

Client Name _____ Client Case No. _____ Admit Date 3/17/00
 New Address _____ City, State, Zip _____ New Phone No. _____
 New Revenue Source _____ Date of Change _____
 Change in Tx Level _____ Date of Change _____
 Other Change (specify) _____ Reopen Case # _____
 Date of Discharge _____ Diagnosis Code _____ Type of Discharge: _____ WSA _____ ASA _____ ASR

Case

Disposition

- A. Case Closed w/ Referral to AD Tx B. Case Closed w/ Referral to Aftercare C. Goals Met - No Add'l Svcs Needed
 D. Needed Services not Available E. Client Rejects Continuation F. Client did not return
 G. Client Moved H. Client Died I. Other _____

Client Name Nathaniel Jackson Treatment Plan Review
 Review # 1 Reason for Review: Stabbing / admit Record # 200457
 Current Level of Care: Stabbing / admit Review Date 3/18/00
 Anticipated Transfer/Discharge On: 3/20/00 To: residential

Tx Plan Recommendations: _____ Treatment Plan(s) Reviewed, current Plan(s) Appropriate
 _____ Treatment Plan Modification Required; See Updated Master Treatment Plan.
 _____ Additional Treatment Plans / Objectives Required

Dimension 1: Intoxication / Withdrawal Stabbing
 Dimension 2: Biomedical Conditions none reported
 Dimension 3: Emotional / Behavioral _____
 Dimension 4: Treatment Acceptance / Resistance wants long term treatment
 Dimension 5: Relapse Potential high
 Dimension 6: Recovery Environment homeless - street lifestyle

Current GAF 45 FY GAF _____ Client meets DSM IV criteria for Substance Abuse or Dep. _____ Yes _____ No

Counselor/Reviewer Signature & Credentials: [Signature] CCOC/CLN
 Others Present: _____

NEIL KENNEDY RECOVERY CLINIC

CLIENT NAME:

200457

Nathaniel Jackson

CLIENT NUMBER:

CLIENT PROBLEM AND TREATMENT PLAN

Plan #

LEVEL OF TREATMENT (at the time of the initial plan formulation)

STABILIZATION

PROBLEM DESCRIPTION:

Client unable to maintain
abstinence outside a controlled environment

Date of problem identification:

3-17-00

How was the problem identified:

assessment

CLIENT RESOURCES:

Strengths (to help solve the problem)

willing to participate

Weaknesses (that hinder problem resolution)

History of lack of follow-through

DESIRED BEHAVIOR CHANGE (s) (Goal of Treatment Plan):

will be able to maintain abstinence
outside a controlled environment

EXPECTED DATE WHEN THE BEHAVIOR CHANGE WILL OCCUR:

WHAT WILL THE CLIENT DO TO ACHIEVE THIS BEHAVIORAL CHANGE

(objectives):

- 1) In individual counseling discuss 3-4 negative consequences of chemical use.
- 2) Eat 3 balanced meals a day and sleep throughout the night.
- 3) By 3/20 report to counselor a willingness to follow treatment recommendations

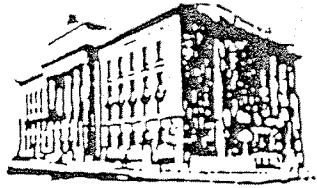
DATE IDENTIFIED

3-17-00

COMPLETE DATE

3-20-00

Criteria for Discharge: Client will be eligible for discharge when he/she has met treatment objectives with an (*) on this tx. Plan.



County of Mahoning

Youngstown, Ohio 44507

COMMON PLEAS COURT
DEPARTMENT OF ADULT PROBATION

1507 Market Street
Youngstown, Ohio 44507
(330) 744-5143

September 4, 2001

Judge R. Scott Krichbaum
Mahoning County Court of Common Pleas
120 Market Street
Youngstown, Ohio 44503

Re: Nathaniel Jackson - # 00 CR 306

Honorable Judge Krichbaum:

On 5/24/01, the above defendant appeared before you for purposes of Judicial Release under docket 00-CR-306, for the offense of Receiving Stolen Property, a Felony of the Fifth Degree. He was granted Judicial Release and one (1) year community control, with the condition he enter and successfully complete the residential program at the Community Corrections Association. Subsequently, he was additionally granted Judicial Release on 5/24/01, in Judge Lisotto's Court under docket 00-CR-1114, for the offense of Receiving Stolen Property, a Felony of the Fourth Degree. This Court imposed two (2) years community control, with the condition he enter and successfully complete the residential program at the Community Corrections Association. He entered said program on 5/25/01.

On 9/01/01, at 9:30 a.m., Mr. Jackson was to return to the facility from his employment at Dinesol Plastics, 195 Park Avenue, Niles, Ohio. Facility staff member Erica Bowie made approximately six (6) telephone calls between 9:30 a.m. and 11:00 a.m., in an attempt to communicate with him. A call was placed at 11:00 a.m. to his mother's residence (Pauline Korneagay), at 309 South Pearl, Youngstown, Ohio, in which an unidentified male stated that Mr. Jackson was there, but left for the store. A message was left for him to contact the facility upon his return.

At approximately 1:00 p.m., an administrative decision was made and Mr. Jackson was considered an absconder and was negatively terminated from the program.

EXHIBIT
47

To: Judge R. Scott Krichbaum
Re: Nathaniel Jackson - # 00 CR 306

2

Due to Mr. Jackson not successfully completing the program at C.C.A. as ordered, we are respectfully requesting that a bench warrant be issued for the alleged Probation Violation.

Respectfully submitted,

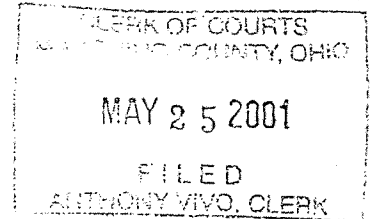
Jeremy Simpson
Probation Officer

Approved by,

Richard J. Billak, Ph.D.
Chief Executive Officer

JS:kjk

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO



STATE OF OHIO)	CASE NO. 00 CR 1114
Plaintiff)	JUDGE ROBERT G. LISOTTO
vs.)	JUDGMENT ENTRY OF
		MODIFICATION TO SENTENCE
NATHANIEL JACKSON)	
Defendant)	

On May 24, 2001, a hearing was held pursuant to R.C. 2929.20 upon Defendant's request for judicial release. Court Reporter, Donna Gerlach, Defense Attorney, Mark Carfolo, and the State's Attorney, Robert Andrews, were present as was Defendant. Pursuant to R.C. 2929.20(D) the victim or victim's representative was notified.

After due consideration of the record, any oral or written statements prepared, as well as the principles and purposes of sentencing under R.C. 2929.11, and the seriousness and recidivism factors under R.C. 2929.12, the Court finds that Defendant is eligible for judicial release, not now being subject to a mandatory prison term, and further finds ALL of the following:

- that a non-prison sanction does not demean the seriousness of the offense;
- that a non-prison sanction will adequately punish Defendant and protect the public;
- that factors decreasing seriousness outweigh those increasing seriousness;
- that there is less likelihood of recidivism.

Finding the Defendant now amenable to community control, the Court modifies Defendant's sentence AND THEREFORE imposes 2 years of community control to be monitored by the Adult Parole Authority specifically to include Correctional Treatment Facility for up to six months.

As a condition of probation, Defendant shall abide by all laws and shall not leave the State of Ohio without the permission of his probation officer. As a further condition of probation, Defendant shall obey the rules and regulations of the Community Corrections Association.

Violation of this sanction may lead to reimposition of the sentence reduced pursuant to judicial release.

Defendant is notified that if a prison term is imposed for violation of community control, the parole board may extend prison time up to 50% of the stated term in 15, 30, 60 or 90 day increments for crimes committed while in prison. After prison release, if post-release control is imposed, for

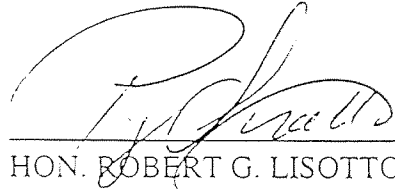
violating post release control conditions, the adult parole authority or parole board may impose a more restrictive or longer control sanction, return defendant to prison for up to nine months for each violation, up to a maximum of 50% of the stated term. If the violation is a new felony, Defendant may receive a new prison term of the greater of one year or the time remaining on post release control.

Pursuant to R.C. 2929.20, Defendant is ORDERED RELEASED to the custody of the Community Corrections Association.

Defendant is found to be indigent and all costs are suspended.

Defendant is ORDERED to avoid any contact with the victim in this matter.

Dated: 5/24/01


HON. ROBERT G. LISOTTO

cc: State's Attorney
Defendant's Attorney
Adult Parole Authority
Mahoning County Justice Center
Community Corrections Association ✓

JE(k).wpd

D

CCA

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO

STATE OF OHIO

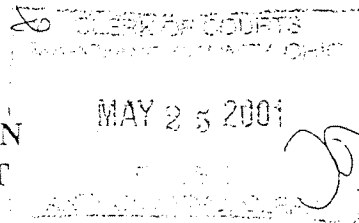
PLAINTIFF

VS.

NATHANIEL JACKSON
DEFENDANT

CASE NUMBER: 00-CR-306

JUDGE R. SCOTT KRICHBAUM



JUDGMENT ENTRY OF
MODIFICATION TO SENTENCE

On May 24, 2001, a hearing was held pursuant to RC. 2929.20 upon Defendant's Motion for Judicial Release. Present in open Court were the defendant Nathaniel Jackson and his counsel Mark Carfolo. The State of Ohio was represented by Assistant Prosecuting Attorney Patrick Pochiro. Pursuant to RC. 2929.20(D), the victim was notified of today's hearing and did attend and did address the Court.

After due consideration of the record, all statements made or presented at the hearing, any written statements prepared, as well as the principles and purposes of sentencing under RC. 2929.11, and the seriousness and recidivism factors under RC. 2929.12, the Court finds that defendant is eligible for judicial release, not being subject to a mandatory prison term, and further finds all of the following: that since defendant has now served time in the penitentiary for this crime, that a non-prison sanction does not demean the seriousness of the offense, that a non-prison sanction will adequately punish defendant and protect the public, that factors decreasing seriousness outweigh those increasing seriousness, and that there is now less likelihood of recidivism.

Finding that the defendant is now amenable to community control, and that there is no objection from the Prosecuting Attorney, the Court modifies Defendant's sentence, and, therefore, the Court sentences Defendant to a period of community control. As conditions of community control, Defendant is not to violate any laws, Defendant is not to leave the State of Ohio without the permission of his probation officer or this Court. Defendant is not to own, use, or possess any drugs or firearms or alcohol. Defendant is not to cause or attempt to cause any harm or threat of harm to any person(s) or property.

TISCO
P 0359

As a further condition of community control, Defendant is to enter and successfully complete the residential program at the Community Corrections Association. While a resident of said program, Defendant shall be subject to the supervision of Community Corrections Association and shall abide by its rules, regulations, treatment plans and after care programs and recommendations of the Community Corrections Association.

Upon the defendant's successful completion of the program at the Community Corrections Association, Defendant is to immediately report to the Adult Parole Authority at 2503 Belmont Ave., Youngstown, Ohio. At that time, the supervision of the defendant's community control is transferred to the Adult Parole Authority for a period of One (1) year. Defendant is to obey all of the rules and regulations of the Adult Parole Authority as a condition of his community control sanction and is further Ordered to comply with all the other terms and conditions of community control imposed herein for the entirety of his probationary term.

Violation of any of the terms and conditions of this probation can result in reincarceration.

Upon defendant's release from the Community Corrections Association, he is to immediately report to the Adult Parole Authority.

Defendant is ordered released from the Mahoning County Justice Center to the custody of the Community Corrections Association.


JUDGE R. SCOTT KRICHBAUM

Clerk: Copies to
Patrick Pochiro
Mark Carfolo
Adult Parole Authority
Community Corrections Association
Mahoning County Justice Center

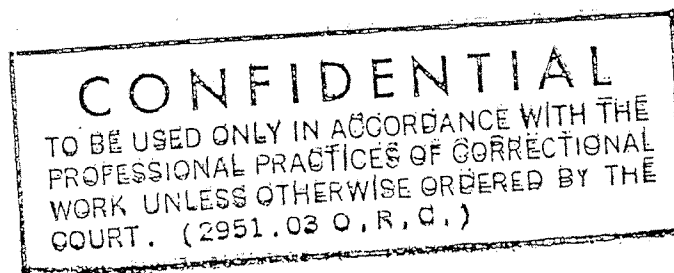
Please send certified copy to Belmont Correctional Facility
PO Box 540
St. Clairsville, OH 43950

PRE-SENTENCE INVESTIGATION REPORT

Judge R. Scott Krichbaum

Nathaniel Edwin Jackson

00 CR 306



5-24-01

- Judicial Release
Granted
- enter CCA
- 1 yr. probation upon
completion of CCA to APA

MAHONING COUNTY COURTS
ADULT PROBATION DEPARTMENT

PRE-SENTENCE INVESTIGATION

DEFENDANT: NATHANIEL EDWIN JACKSON	DOCKET No.: 00 CR 306
ADDRESS: 309 S. PEARL YOUNGSTOWN, OHIO 44506	HONORABLE PRESIDING JUDGE: R. SCOTT KRICHBAUM
LEGAL ADDRESS: SAME AS ABOVE	DEFENSE COUNSEL: MARK A. CARFOLO 21 S. PHELPS STREET YOUNGSTOWN, OHIO 44503
EDUCATION: 11TH GRADE	PROSECUTING ATTORNEY: PAUL J. GAINS, PATRICK POCHIRO, ASSISTANT MAHONING COUNTY PROSECUTOR'S OFFICE 120 MARKET STREET YOUNGSTOWN, OHIO 44503
AGE: 28 DATE OF BIRTH: 2/13/72	DATE REFERRED: 8/03/00
DEPENDENTS: -O-	DATE SUBMITTED: 8/31/00
CITIZENSHIP: UNITED STATES	DATE TYPED: 9/12/00
SOC. SEC. No.: 270-68-8663	
FBI No.: UNKNOWN	
BCI No.: UNKNOWN	
DETAINERS OR CHARGES PENDING: NONE KNOWN	
CO-DEFENDANTS (DISPOSITION OR STATUS OF CASE): N/A	

INDICTMENT: RECEIVING STOLEN PROPERTY	ORC NUMBER: 2913.51 (A)(C)
DATE OF PLEA: 8/03/00	AMOUNT AND TYPE OF BOND:
PLEA: GUILTY AS CHARGED	\$2,500 SURETY BOND, POSTED ON 3/29/00.
STATUTORY PENALTY:	DATE OF ARREST: 3/26/00
F5° - 6,7,8,9,10,11 OR 12 MONTHS IMPRISONMENT AND UP TO A \$2,500 FINE.	JAIL CREDIT: 4 DAYS

NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

1

DETAILS OF THE INSTANT OFFENSE

According to information received from the Boardman Police Department, the following details occurred in regard to the Instant Offense:

On 3/26/00, at approximately 9:25 a.m., Officer Spatar ran a random license plate check on a 1982 Honda Accord. The plate came back to a 1989 Dodge. Subsequently, the vehicle was stopped. During the traffic stop, it was discovered that the driver of the vehicle, Nathaniel Jackson, the defendant, was driving under an FRA suspension, and that the license plate was reported stolen out of the Youngstown Police Department. The defendant was arrested for Receiving Stolen Property and transported to the Mahoning County Sheriff's Department. He was given traffic citations for FRA and Seat Belt violations.

It should be noted that the victim of the Instant Offense, Pauline Korneagay, is the defendant's mother. It should also be noted that Anthony Sedita was a passenger in the vehicle when the defendant was arrested.

VICTIM'S STATEMENT

The victim, Pauline Korneagay, was contacted by telephone on 8/30/00, regarding the offense. Ms. Korneagay stated that her son is not living with her currently and was not living with her at the time of the offense. She stated that her son needs to get a job and needs "rehabilitation." She indicated that no restitution is due.

DEFENDANT'S STATEMENT

The defendant provided the following written statement on his Mahoning County Adult Probation questionnaire: "I feel that I was wrong for taking my mothers license plate an at the time I was on drugs but I feel if I get into this 9 month program that it will do me a lot good because I would love to get my life back on the right track." (sic)

PRIOR RECORD

JUVENILE

According to the Mahoning County Juvenile Court, the defendant possesses the following juvenile record:

NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

2

<u>DATE</u>	<u>OFFENSE</u>	<u>PLACE</u>	<u>DISPOSITION</u>
09/19/88	<u>88 JV 963</u> Unruly	Mahoning County, Ohio	Probation <u>11/09/88</u> Probation terminated
07/26/89	<u>89 JV 1061</u> Robbery	Mahoning County, Ohio	<u>9/13/89</u> Probation
10/10/89	<u>89 JV 1607</u> Aggravated Burglary	Mahoning County, Ohio	<u>12/07/89</u> Probation <u>3/28/90</u> Probation terminated

ADULT

According to information received from the Austintown P.D., Boardman P.D., Campbell P.D., Canfield P.D., Girard P.D., Liberty Township P.D., Mahoning County Sheriff's Dept., McDonald P.D., Niles P.D., Poland Township P.D., Struthers P.D., Trumbull County Sheriff's Dept., Warren P.D. and Youngstown P.D., the defendant possesses the following adult record:

<u>DATE</u>	<u>OFFENSE</u>	<u>PLACE</u>	<u>DISPOSITION</u>
01/20/91	Receiving Stolen Property	Youngstown, Ohio	<u>2/08/91</u> 180 days jail, suspended, \$100 fine & costs, 1 year probation
08/07/91	<u>91 CR 724</u> Aggravated Burglary	Youngstown, Ohio	<u>1/17/92</u> 5 to 25 years LCI <u>9/25/92</u> Granted shock probation, sentence suspended, placed on 2 years probation with condition defendant complete CCA <u>8/15/94</u> Probation terminated
05/19/93	Loitering for Drugs	Youngstown, Ohio	<u>5/19/93</u> \$250 fine, \$200 suspended, costs suspended, 6 months probation

NATHANIEL EDWIN JACKSON - # 00 CR 306
 PRE-SENTENCE INVESTIGATION

3

<u>DATE</u>	<u>OFFENSE</u>	<u>PLACE</u>	<u>DISPOSITION</u>
08/14/93	Aggravated Burglary (amended to Criminal Trespass)	Youngstown, Ohio	<u>8/16/93</u> 30 days jail, suspended, \$250 fine & costs, \$200 suspended, 6 months probation
08/26/93	Theft	Youngstown, Ohio	<u>10/26/93</u> 180 days house arrest
09/20/93	Theft	Youngstown, Ohio	<u>10/25/93</u> 6 months county jail, \$1000 fine
01/22/94	Ct. 1 - Theft, Ct. 2 - Disorderly Conduct, Ct. 3 - Resisting Arrest	Youngstown, Ohio	<u>2/14/94</u> Count 1 - 180 days county jail, Count 2 - 30 days jail, Count 3 - 90 days jail
05/26/94	Possession of Drug Paraphernalia	Youngstown, Ohio	<u>7/11/97</u> 7 days county jail, 7 days credit
11/27/94	Possession of Drug Abuse Instrument	Youngstown, Ohio	<u>11/28/94</u> 60 days jail, suspended, \$500 fine, \$450 suspended, costs, 6 months probation, drug rehab
12/22/94	Ct. 1-Criminal Trespass, Ct. 2-Theft	Youngstown, Ohio	<u>1/03/95</u> Count 1 - 30 days jail, suspended, \$250 fine & costs, suspended, 12 months reporting probation Count 2 - 180 days jail, 120 days suspended, 3 days credit for time served, \$1000 fine & costs, \$900 suspended, 12 months probation
03/20/95	Theft on Warrant	Youngstown, Ohio	<u>5/01/95</u> 30 days county jail
04/22/95	Theft on Warrant	Youngstown, Ohio	<u>5/01/95</u> 30 days county jail

NATHANIEL EDWIN JACKSON - # 00 CR 306
 PRE-SENTENCE INVESTIGATION

4

<u>DATE</u>	<u>OFFENSE</u>	<u>PLACE</u>	<u>DISPOSITION</u>
04/26/95	Possession of Drug Paraphernalia	Youngstown, Ohio	<u>4/27/95</u> 90 days jail
09/19/95	<u>95 CR 877</u> Weapons Under Disability	Youngstown, Ohio	<u>2/14/96</u> 18 months Lorain, credit for 113 days jail, fine, suspended
03/09/97	Criminal Trespass	Youngstown, Ohio	12 days jail, 10 days suspended, 2 days credit, \$100 fine, \$58 suspended
03/23/97	Attempted Aggravated Burglary (amended to Attempted Breaking and Entering)	Youngstown, Ohio	<u>4/11/97</u> 90 days jail, 60 days suspended, \$500 fine & costs, \$250 suspended, 18 days jail credit
07/05/97	Possession of Drug Paraphernalia	Youngstown, Ohio	<u>7/11/97</u> 7 days jail, 7 days credit
07/30/97	Theft (amended to Unauthorized Use of a Motor Vehicle	Youngstown, Ohio	<u>8/08/97</u> \$100 fine, suspended, \$46 costs, suspended, 1 year reporting probation
11/14/97	Possession of Drug Paraphernalia	Youngstown, Ohio	<u>11/14/97</u> 30 days jail, 180 day Ohio driver's license suspension
09/06/98	Receiving Stolen Property (Auto) [amended to Theft]	Youngstown, Ohio	<u>11/20/98</u> 180 days jail, \$1000 fine, \$60 costs
06/15/99	Receiving Stolen Property (Auto), Receiving Stolen Property (Credit Card)	Youngstown, Ohio	<u>6/28/99</u> 6 months jail
03/26/00	Receiving Stolen Property	Boardman, Ohio	INSTANT OFFENSE

NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

5

<u>DATE</u>	<u>OFFENSE</u>	<u>PLACE</u>	<u>DISPOSITION</u>
05/09/00	Receiving Stolen Property (amended to Unauthorized Use of a Motor Vehicle)	Liberty Twp., Ohio	<u>5/17/00</u> 180 days jail, 135 days suspended, 8 days credit, \$500 fine, \$400 suspended, reporting probation
08/04/00	Theft	Youngstown, Ohio	<u>8/22/00</u> 60 days jail, 42 days suspended, 18 days credit, \$100 fine, \$60 costs, suspended, \$40 restitution, 1 year probation

The Mahoning County Prosecutor's Office may be able to provide additional information concerning the defendant's criminal history.

DISMISSED, NOLLIED AND UNKNOWN DISPOSITIONS

<u>DATE</u>	<u>OFFENSE</u>	<u>PLACE</u>	<u>DISPOSITION</u>
08/30/93	Aggravated Robbery	Youngstown, Ohio	Unknown
01/15/94	Theft	Youngstown, Ohio	No charges filed
12/22/94	Drug Abuse (Cocaine)	Youngstown, Ohio	<u>1/03/95</u> Dismissed
09/19/95	Aggravated Menacing	Youngstown, Ohio	<u>11/21/95</u> Dismissed
01/11/97	Receiving Stolen Property	Youngstown, Ohio	Unknown
07/30/97	Theft	Youngstown, Ohio	Dismissed
06/29/98	Unauthorized Use of a Motor Vehicle	Youngstown, Ohio	Dismissed
09/06/98	Falsification	Youngstown, Ohio	Unknown
06/15/99	Drug Paraphernalia	Youngstown, Ohio	Dismissed
08/04/00	Resisting Arrest	Youngstown, Ohio	Dismissed

NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

6

INSTITUTIONAL AND/OR SUPERVISORY ADJUSTMENT

In reviewing the defendant's criminal history, it appears that he was granted probation on at least seven occasions, with new offenses committed during each period of supervision.

Therefore, the defendant's history of supervision in the community would be rated as poor.

SOCIAL SUMMARY

The defendant was born on 2/13/72, in Youngstown, Ohio, out of wedlock to the relationship of Pauline Jackson and Charles Paige. The defendant reported a 30-year-old brother, Charles Jackson, who was also born to this relationship. The defendant's mother married one Anthony Korneagay, and together they produced one Taushi Korneagay, the defendant's 24-year-old half-sister. He described his childhood as "fair," and denied any type of abuse or neglect throughout his formative years.

The defendant stated he attended Rayen High School through the 11th grade, then dropped out due to drugs. He reports that he enrolled in the Choffin Career Center a few years ago, but did not obtain his G.E.D.

The defendant denies ever being married, however, has fathered two children with two separate women. He has a 6-year-old daughter, Shaylese Jackson, with one Lorainne Townsend; and a 1-year-old son, Nathaniel Edwin Jackson Jr., with one Tursha Armitage. The defendant stated that he is not ordered to pay child support.

The defendant self-reported a history of "crack" cocaine and marijuana abuse. He has been using marijuana since 1985, and currently smokes one half ounce on a daily basis. He reports using "crack" cocaine since 1989, and states he uses as much as he can get on a daily basis. The defendant further reported consuming "a couple cans of beer" every other day. The defendant admitted to being under the influence of "crack" cocaine when he committed the Instant Offense. He has received treatment for substance abuse several times in the past. He attended the residential treatment program at the Community Corrections Association from 9/25/92 to 3/05/93. His prognosis upon release was rated as poor. He also reported attending the Salvation Army, but was negatively terminated due to a verbal conflict with another resident. He was admitted to the Neil Kennedy Recovery Clinic on 7/22/00, for detoxification from alcohol. He was released from their facility on 7/24/00.

The defendant described his physical health as "good." He did state that he has asthma. He denies ever being examined by a mental health professional.

The defendant has never served in any branch of the United States Armed Forces.

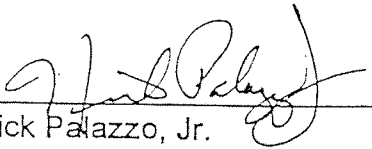
NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

7

The defendant listed no financial assets and no financial obligations. He is not receiving any type of financial assistance from the Mahoning County Department of Human Services.


The defendant is currently unemployed. He reports his only prior employment as being with Dinesol Plastics, Inc., for a few months in 1997.

Reviewed by,



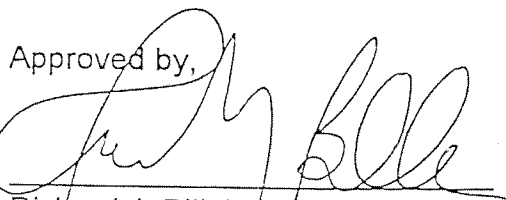
Nick Palazzo, Jr.
Intake Director

Respectfully submitted,



Philip A. Danchise
Probation Officer

Approved by,



Richard J. Billak, Ph.D.
Chief Executive Officer

PAD:kjk

NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

8

PRE-SENTENCE INVESTIGATION SUMMARY

Before the Court is a 28-year-old African-American male who pled guilty to the offense of Receiving Stolen Property, a Felony of the Fifth Degree. The Instant Offense involves the defendant driving a vehicle with a stolen license-plate.

The defendant has juvenile adjudications for Unruly, Robbery, and Aggravated Burglary. As an adult, he has convictions for Receiving Stolen Property (2), Aggravated Burglary, Loitering for Drugs, Criminal Trespass, Theft (6), Disorderly Conduct, Resisting Arrest, Drug Paraphernalia (3), Possession of Drug Abuse Instrument, Weapons Under Disability, Attempted Breaking and Entering, Unauthorized Use of a Motor Vehicle (2), and the Instant Offense.

The defendant was born on 2/13/72, in Youngstown, Ohio, out of wedlock to the relationship of Pauline Jackson and Charles Paige. His mother later married Anthony Korneagay. The defendant listed one brother and one half-sister. He described his childhood as "fair," and reported no abuse or neglect.

The defendant completed the 10th grade at Rayen High School. Although he stated that he enrolled in the Choffin Career Center, school records could not be located. The defendant has not yet obtained his G.E.D.

The defendant denies ever being legally married. However, he listed two children (ages 1 and 6 years), born to relationships with two different women. He indicated that he is not ordered to pay child support.

The defendant reports an ongoing problem with "crack" cocaine since 1989, and marijuana since 19985. He admits to using crack cocaine at the time of the Instant Offense. He reports that he consumes "a couple cans of beer" every other day. The defendant received residential treatment previously at the Community Corrections Association from 9/25/92 to 3/05/93. He reported that he was negatively terminated from a program at the Salvation Army due to a verbal conflict with another resident. He was admitted to Neil Kennedy for detoxification from alcohol on 7/22/00, and was released from that facility on 7/24/00.

The defendant described his physical health as "good," with the exception of having asthma. He reports no mental health problems or previous treatment.

The defendant has never served in any branch of the United States Armed Forces.

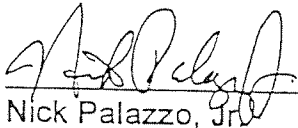
The defendant listed no financial assets and no financial obligations. According to the Mahoning County Department of Human Services, the defendant does not currently receive any type of financial assistance.

NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

9

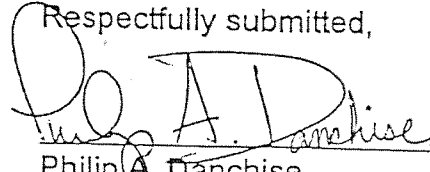
The defendant is currently unemployed. He reported no significant employment history.

Reviewed by,



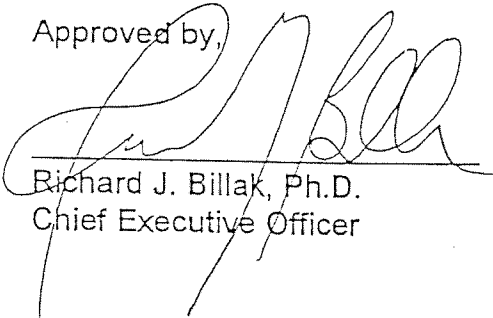
Nick Palazzo, Jr.
Intake Director

Respectfully submitted,



Philip A. Danchise
Probation Officer

Approved by,



Richard J. Billak, Ph.D.
Chief Executive Officer

RAD:kjk

NATHANIEL EDWIN JACKSON - # 00 CR 306
PRE-SENTENCE INVESTIGATION

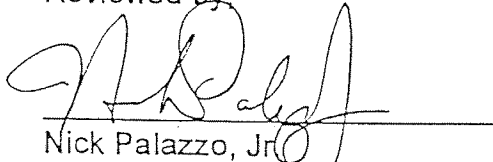
10

RECOMMENDATION

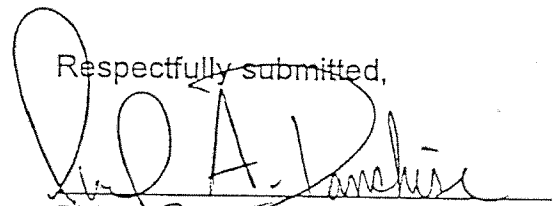
The defendant has been granted probation on numerous previous occasions. As indicated by his criminal record, the defendant has a poor history of supervision in the community. Since his arrest for the Instant Offense, he has been sentenced on two additional misdemeanor charges. It is noted that the defendant was previously granted shock probation in 1992, and was given the opportunity for residential treatment at the Community Corrections Association. He completed the program with a poor prognosis at that time.

Based on the above, it is respectfully recommended that the defendant be sentenced to a period of incarceration as deemed appropriate by the Court. Since the defendant does report an ongoing substance abuse problem and has expressed a desire for treatment, it is further recommended that he be ordered to complete a residential treatment program if considered for Judicial Release.

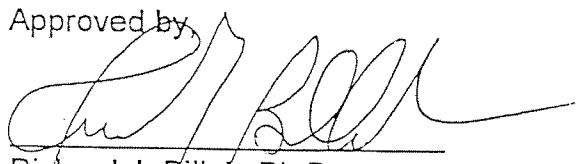
Reviewed by


Nick Palazzo, Jr.
Intake Director

Respectfully submitted,


Philip A. Darchise
Probation Officer

Approved by


Richard J. Billak, Ph.D.
Chief Executive Officer

PAD:kjk

MAHON, G COUNTY PROBATION DEPARTMENT

~ Seriousness ~ Amenability Factors ~

F-1 thru F-5 (non-drug)

RECIDIVISM FACTORS

Recidivism Likely

- ☐ Offender out on bail before trial or sentencing, under court sanction or under post-release control or parole when offense was committed. *Explanation:*
- ☒ Prior adjudication of delinquency or history of criminal convictions. *Explanation:* See prior record.
- ☒ Failure to respond favorably in the past to sanctions imposed for criminal convictions. *Explanation:*
Poor history of supervision.
- ☐ Demonstrated a pattern of drug or alcohol abuse related to the offense and refuses to acknowledge the pattern or refuses treatment. *Explanation:*
- ☐ Shows no remorse for the offense. *Explanation:*

Recidivism Unlikely

- ☐ Not adjudicated delinquent prior to offense. *Explanation:*
- ☐ No prior criminal convictions. *Explanation:*
- ☐ Law abiding for significant number of years prior to offense. *Explanation:*
- ☐ Occurred under circumstances unlikely to reoccur. *Explanation:*
- ☒ Offender shows a genuine remorse. *Explanation:* Defendant appears to be remorseful.

SERIOUSNESS FACTORS

More Serious

- ☐ Injury to victim was worsened by the physical or mental condition or age of the victim. *Explanation:*
- ☐ Victim suffered serious physical, psychological, or economic harm as result of offense. *Explanation:*
- ☐ Offender held a public office or position of trust and the offense was related to that office or position. *Explanation:*
- ☐ Offender's occupation or office required the offender to prevent the offense or bring others committing it to justice. *Explanation:*
- ☐ Professional reputation, occupation or office facilitated the offense or is likely to influence future conduct of others. *Explanation:*
- ☐ Relationship with victim facilitated the offense. *Explanation:*
- ☐ Offense committed for hire or as part of organized criminal activity. *Explanation:*
- ☐ Crime motivated by prejudice based on race, ethnicity, gender, sexual orientation or religion. *Explanation:*

Less Serious

- ☐ Victim induced or facilitated the offense. *Explanation:*
- ☐ Offender acted under strong provocation. *Explanation:*
- ☒ No physical harm to persons or property expected or caused. *Explanation:* Theft offense.

MAHONING COUNTY PROBATION DEPARTMENT

~ Seriousness ~ Amenability Factors ~
(Non-drug or drug offense under 2929.13 (B)(1))

Yes No

- ☐ ☒ Physical harm caused to a person.
- ☐ ☒ Attempt to cause or made an actual threat of physical harm with a weapon.
- ☐ ☒ Attempt to cause or made an actual threat of physical harm to a person and has a prior conviction that caused physical harm to a person.
- ☐ ☒ Offender held public office or position of trust and offense related to that office or position, position obligated the offender to prevent the offense or bring those committing it to justice or offender's reputation or position facilitated the offense or was likely to influence the conduct of others.
- ☐ ☒ Committed for hire or as part of an organized criminal activity.
- ☐ ☒ Crime is a sex offense.
- ☒ ☐ Offender previously served a prison term.
- ☐ ☒ Offense committed while under a community control sanction.

Amenability to Community Control Sanction

(To be used if one or more of the 8 factors above are marked Yes and if Seriousness and Recidivism Factors weigh toward More Likely and/or More Serious.)

Offender ~~is~~ is not amenable to an available community control sanction.

COMMUNITY CORRECTIONS ASSOCIATION, INC.

EMPLOYMENT VERIFICATION

Resident Name: Nate JacksonEmployer: Universal PlasticAddress: 195 Park Ave.Milas, OhioSupervisor: JimmyPhone Number: 544-7171(X) Cell Phone ☐ Business ☒ Pager ☐*Additional Addresses Required (Job Sites) Yes ☐ No ☐Start Date: 7/25/01Position: laborSalary: 6.25 hr.

Method Of Payment: Personal Check ☐ Money Order ☐
 Business Check ☒ Other ☐
 Taxes Withheld ☒

First Pay Date: 8/3/01Pay Periods: bi weekly.Work Hours: M - sun 8p - 8AAre Work Hours Subject to Change? Yes ☒ No ☐Mode of Transportation: ☒ Private Auto ☐ Bus ☐ Van ☐ TaxiVerified By: Trudy McDonald Date Verified: 7/25/01Case Manager Approval: [Signature]Director Approval: [Signature] Date: 7-26-01

Federal Bureau Of Prisons requires our facility to notify the employer of the legal status of
 _____ who is currently residing at Community Corrections
 Association.

The resident is:

Under the custody of the U.S. Attorney General
 Supervised by the Federal Probation Department

Signature of Employer:

Certificate of Completion

This is to Certify that:

NATHANIEL JACKSON

Has Successfully Completed
Thinking For A Change

Conducted by: Community Corrections Association.

This Certificate is Hereby Issued

This 25th Day Of July 20 01

Michael Mendelsohn
Facilitator
W. J. Smith
Director

Certificate of Achievement

This is to Certify that:

NATE JACKSON

Has Successfully Completed
Job Readiness Training

Conducted by: Community Corrections Association.

This Certificate is Hereby Issued

This 20th Day Of July 20 07

Instructor

Director

Certificate of Achievement

This is to Certify that:

NATE JACKSON

Has Successfully Completed
Vocational Planning

Conducted by: Community Corrections Association.

This Certificate is Hereby Issued

This 20th Day of July 20 07

Instructor

Director

[Signature]
[Signature]

COMMUNITY CORRECTIONS ASSOCIATION, INC.
DRUG AND ALCOHOL ABUSE ASSESSMENT

(60)

1. Name ANTHONY E. JACKSON
 2. Address 309 S. TEALL
40, OH 44506
 3. Age 29 Birthdate 2-13-72
 4. Presenting Problem and Need for Assessment _____

- ☐ Court Referred ☐ Referral for Rehab
☐ Case Manager Referred ☐ In-patient ☐ Other
☐ Out-patient ☐ In-House

5. Person Referring John

6

Substances	Daily & Amount	Weekly & Amount	Monthly & Amount	Method	First Use	Last Use
Alcohol		2 BEERS		Dial	(18) 1990	6/00
Marijuana		4 BLONTS		smoke	(17) 1989	6/00
Cocaine	1 GRAM			smoke	(18) 1990	6/00
Speed	Denies					
Heroin	Denies					
Acid	Denies					
Steroids	Denies					
OTC	Denies					
Scripts	Denies					
Inhalants	Denies					

7. Have you ever experienced:

- Denies
☐ Blackouts ☒ Confusion ☒ Mood Changes
☒ Increased/Decreased Tolerance ☐ Physical Withdrawal ☐ Psychological Withdrawal

8. Did chemical use play any part in your arrest? No How? Receiving stolen property - license plates on car - Delivered to mother who had reported them stolen.

9. History of Treatment for Chemical Dependency

Where	When	Length	Results
NXIC	2000-Detox	4 Days	WSA
Donofrio	4 Years ago		

- 2-
10. What was the longest period of abstinence? one year (current)
11. Have you attended self-help groups? Yes Which ones? AA/NA/CA
12. Do you have or have you had any series medical problems or disability? asthma
13. Do you have any allergies? Yes ☒ No ☐ Explain: _____
14. Are you presently on medication? Yes ☒ No ☐ List: inhaler - last used in prison
15. Do you have a medical doctor? Yes ☒ No ☐ Who? _____
16. When was the last time you saw a doctor? in prison
17. Employment history in the last 5 years:

Employer	Dates	Reasons for Termination
<u>Dinosol</u>	<u>1999</u>	<u>quit - to many hours</u>
<u>Buckeye Elks</u>	<u>1994-99</u>	<u>occasional</u>

18. Have you ever been discharged due to chemical use? Yes ☒ No ☐
19. Have you ever been in the Armed Services? Branch N/A
When? _____ Type of Discharge _____
20. Educational History: Vocational Training N/A Highest Grade Completed 11TH
College _____
21. List any difficulties in school: none reported
22. Legal history & present reason for incarceration. List times incarcerated.
☒ Jail 10 ☒ Prison 1 ☒ Correctional Facility 2
☐ Misdemeanors - List: _____
☐ Felonies - List: receiving & stolen Property - Burglary 1992
23. History of mental health counseling or hospitalization None reported

Where	When	Problem

-3-

24. Medications. List (psychia only) none reported
25. Have you ever had suicidal thoughts? Yes/No No When? _____
26. Have you ever attempted suicide? Yes/No No When? _____
27. Results/Hospitalization Yes/No No Treatment _____ Emergency Room _____
28. Was there any follow-up with a psychiatrist, counselor or other mental health personnel? Yes/No
List _____
29. Do you feel suicidal now? Yes/No No
30. Have you had homicidal thoughts? Yes/No No When? _____
31. Do you presently feel homicidal? Yes/No No Towards whom? _____
32. Do you suffer from any of these? Anxiety No Depression No Bi-Polar No
Emotional problems No Sleep Disorders No Family Problems No
33. What is your motivation TO accept treatment? to keep clean - maintain
34. What is your motivation NOT to accept treatment none
35. What are your strengths? GOD / Family / Girlfriend
36. What are your weaknesses? Drugs - Unemployed - lack of (+) support
37. Diagnostics: SASSI High Prob.
OPI _____
SAQ _____
MMPI Profile R10 309.0, 309.3, 292.84, 300.40, 311, 305.40, 305.00
300.77, 301.81 VBT-ID Profile
304.20 Cocaine, Pop
38. Diagnostic Impression: Cannabis Alcohol 300.40 Dysrhythmic Disor.
Axis I 304.30 305.00
Axis II 299.8 301.7 Antisocial Personality Dis.
Axis III 300.40
Axis IV 300.40
Axis V 52 56
40. Progress Report and Outcome: Nate is a 29 yr old single, black, unemployed male. He reported his drug use to include Marijuana, 4 blunts weekly since 1989 and cocaine, 1 gram daily since 1998. He reported various symptoms as a result of his use. The initial clinical recommendation is the 60 day SMI track.
- Length of Time for Assessment: One (1) hour
- Person Assessing: A.W. Blush, M.D. (Must be CCDCIII, CCDCII, CCDCI, LPC)
- Reviewed/Approved: A.W. Blush, M.D. (Must be LPC, LPCC, or Psychologist)
- Date: 3/7/13

COMMUNITY CORRECTIONS ASSOCIATION, INC.

PROGRESS REPORTS
(TO BE COMPLETED ON 1ST & 15TH OF EVERY MONTH)

RESIDENT'S NAME: Nate Jackson DATE: 8/30/9

P.O.'S NAME: _____ (IF APPLICABLE)

CLIENT WAS COUNSELED WITH REGARD TO:

1. VOCATIONAL	<u>GOOD</u>	<u>FAIR</u>	POOR
2. GED / ABE	<u>GOOD</u>	<u>FAIR</u>	POOR
3. DRUG / ALCOHOL ISSUES	<u>GOOD</u>	FAIR	POOR
4. INDIVIDUAL COUNSELING	<u>GOOD</u>	FAIR	POOR
5. GROUP COUNSELING	<u>GOOD</u>	FAIR	POOR
6. UNIT ADJUSTMENT	<u>GOOD</u>	FAIR	POOR
7. REC/LEISURE ACTIVITIES	<u>GOOD</u>	FAIR	POOR
8. BUDGETING	<u>GOOD</u>	FAIR	POOR
9. FAMILY ISSUES	<u>GOOD</u>	FAIR	POOR
10. TRANSPORTATION	<u>GOOD</u>	FAIR	POOR
11. JOB SEARCH / EMPLOYMENT	<u>GOOD</u>	FAIR	POOR
12. PROGRAM PLAN / GOALS	<u>GOOD</u>	FAIR	POOR
13. RELEASE PLANNING	<u>GOOD</u>	FAIR	POOR
14. INCIDENT REPORTS	<u>GOOD</u>	FAIR	POOR
15. URINE / BAC'S	<u>GOOD</u>	FAIR	POOR

POS. _____

EMPLOYER: Dines-I Plastic WAGE: _____
TENTATIVE RELEASE DATE: 9-19-0 TENTATIVE RELEASE ADDRESS: _____

PROJECTED HOME CONFINEMENT DATE: _____ (IF APPLICABLE)

PROGRESS: MR JACKSON HAS ADJUSTED
VERY WELL TO THE FACILITY. HE
IS CURRENTLY WORKING FULL-TIME @
DINES-I PLASTIC - HE FOLLOWS ALL
INSTRUCTIONS AND MEETS W/
CASEMANAGER AS NEEDED

AREAS NEEDING IMPROVEMENT: MR JACKSON NEEDS
TO BE MORE ACTIVE IN LOOKING
FOR A SPONSOR FOR A
HOME

RESIDENT'S SIGNATURE: _____ STAFF: [Signature]DATE REVIEWED WITH RESIDENT: 8/30/09

COMMUNITY CORRECTIONS ASSOCIATION, INC.

PROGRESS REPORTS
(TO BE COMPLETED ON 1ST & 15TH OF EVERY MONTH)

RESIDENT'S NAME: Nate Jackson DATE: 8/15P.O.'S NAME: Phil Dancluse
(IF APPLICABLE)

CLIENT WAS COUNSELED WITH REGARD TO:

1. VOCATIONAL	GOOD	FAIR	POOR
2. GED / ABE	GOOD	<u>FAIR</u>	POOR
3. DRUG / ALCOHOL ISSUES	<u>GOOD</u>	FAIR	POOR
4. INDIVIDUAL COUNSELING	<u>GOOD</u>	FAIR	POOR
5. GROUP COUNSELING	<u>GOOD</u>	FAIR	POOR
6. UNIT ADJUSTMENT	<u>GOOD</u>	FAIR	POOR
7. REC/LEISURE ACTIVITIES	GOOD	FAIR	POOR
8. BUDGETING	GOOD	FAIR	POOR
9. FAMILY ISSUES	GOOD	FAIR	POOR
10. TRANSPORTATION	GOOD	FAIR	POOR
11. JOB SEARCH / EMPLOYMENT	GOOD	FAIR	POOR
12. PROGRAM PLAN / GOALS	<u>GOOD</u>	FAIR	POOR
13. RELEASE PLANNING	GOOD	FAIR	POOR
14. INCIDENT REPORTS	<u>GOOD</u>	FAIR	POOR
15. URINE / BAC'S	<u>GOOD</u>	FAIR	POOR

POS. _____

 EMPLOYER: Dincoo Plastics WAGE: _____
 TENTATIVE RELEASE DATE: 11/25 TENTATIVE RELEASE ADDRESS: _____

PROJECTED HOME CONFINEMENT DATE: _____ (IF APPLICABLE)

 PROGRESS: MR JACKSON HAS ADJUSTED
FINALLY WENT TO THE FACILITY HE
IS CURRENTLY WORKING FULL-
TIME AT DINCOO PLASTICS. HE IS
FOLLOWING ALL REQUIREMENTS AND
MEETS w/ CASE MANAGER AS NEEDED

 AREAS NEEDING IMPROVEMENT: MR JACKSON NEEDS
TO ATTEND ABE MORE REGULARLY
AND ALSO NEEDS TO BE SERIOUS
ABOUT LOOKING FOR A JOB

 RESIDENT'S SIGNATURE: Nathaniel Jackson STAFF: [Signature]
 DATE REVIEWED WITH RESIDENT: 11/15/11

COMMUNITY CORRECTIONS ASSOCIATION, INC.

PROGRESS REPORTS
(TO BE COMPLETED ON 1ST & 15TH OF EVERY MONTH)

RESIDENT'S NAME: Nate Jackson DATE: 7/30/01

P.O.'S NAME: _____ (IF APPLICABLE)

CLIENT WAS COUNSELED WITH REGARD TO:

1. VOCATIONAL	GOOD	FAIR	POOR
2. GED / ABE	GOOD	FAIR	POOR
3. DRUG / ALCOHOL ISSUES	GOOD	FAIR	POOR
4. INDIVIDUAL COUNSELING	GOOD	FAIR	POOR
5. GROUP COUNSELING	GOOD	FAIR	POOR
6. UNIT ADJUSTMENT	GOOD	FAIR	POOR
7. REC/LEISURE ACTIVITIES	GOOD	FAIR	POOR
8. BUDGETING	GOOD	FAIR	POOR
9. FAMILY ISSUES	GOOD	FAIR	POOR
10. TRANSPORTATION	GOOD	FAIR	POOR
11. JOB SEARCH / EMPLOYMENT	GOOD	FAIR	POOR
12. PROGRAM PLAN / GOALS	GOOD	FAIR	POOR
13. RELEASE PLANNING	GOOD	FAIR	POOR
14. INCIDENT REPORTS	GOOD	FAIR	POOR
15. URINE / BAC'S	GOOD	FAIR	POOR

POS. _____

EMPLOYER: Dinesol Plastics WAGE: _____TENTATIVE RELEASE DATE: 11/01 TENTATIVE RELEASE ADDRESS: _____

PROJECTED HOME CONFINEMENT DATE: _____ (IF APPLICABLE)

PROGRESS: Mr Jackson has adjusted

fairly well to the facility. He
is currently working @ Dinesol Plastics.
He has only received one incident report
and all BAC's & urines have come
back clear.

AREAS NEEDING IMPROVEMENT: Mr Jackson needs to

attend ABE classes and not to disrupt
them. He needs to take his education
more serious

RESIDENT'S SIGNATURE: Nathaniel Jackson STAFF: John Lee

DATE REVIEWED WITH RESIDENT: _____

COMMUNITY CORRECTIONS ASSOCIATION, INC.

PROGRESS REPORTS
(TO BE COMPLETED ON 1ST & 15TH OF EVERY MONTH)

RESIDENT'S NAME: Nate Jackson DATE: 7/15/12

P.O.'S NAME: _____ (IF APPLICABLE)

CLIENT WAS COUNSELED WITH REGARD TO:

1. VOCATIONAL	<u>GOOD</u>	FAIR	POOR
2. GED / ABE	<u>GOOD</u>	<u>FAIR</u>	<u>POOR</u>
3. DRUG / ALCOHOL ISSUES	<u>GOOD</u>	FAIR	POOR
4. INDIVIDUAL COUNSELING	<u>GOOD</u>	FAIR	POOR
5. GROUP COUNSELING	<u>GOOD</u>	FAIR	POOR
6. UNIT ADJUSTMENT	<u>GOOD</u>	FAIR	POOR
7. REC/LEISURE ACTIVITIES	<u>GOOD</u>	FAIR	POOR
8. BUDGETING	<u>GOOD</u>	FAIR	POOR
9. FAMILY ISSUES	<u>GOOD</u>	FAIR	POOR
10. TRANSPORTATION	<u>GOOD</u>	FAIR	POOR
11. JOB SEARCH / EMPLOYMENT	<u>GOOD</u>	FAIR	POOR
12. PROGRAM PLAN / GOALS	<u>GOOD</u>	FAIR	POOR
13. RELEASE PLANNING	<u>GOOD</u>	FAIR	POOR
14. INCIDENT REPORTS	<u>GOOD</u>	FAIR	POOR
15. URINE / BAC'S	<u>GOOD</u>	FAIR	POOR

POS. _____

EMPLOYER: _____ WAGE: _____

TENTATIVE RELEASE DATE: 11/29/01 TENTATIVE RELEASE ADDRESS: _____

PROJECTED HOME CONFINEMENT DATE: _____ (IF APPLICABLE)

PROGRESS: Mr Jackson has adjusted
very well to the facility. He
follows instructions and is very
respectful of all staff. He does what is
asked of him and is very cooperative

AREAS NEEDING IMPROVEMENT: Mr Jackson needs to
be more vocal in groups regarding his
distresses. He needs to share his experiences
in order to deal w/ his issues

RESIDENT'S SIGNATURE: Nathaniel Jackson STAFF: John [Signature]

DATE REVIEWED WITH RESIDENT: _____

APPROVED BY: [Signature]

COMMUNITY CORRECTIONS ASSOCIATION, INC.

DRUG AND ALCOHOL PROGRESS REPORTS
(TO BE COMPLETED ON 1ST & 15TH OF EVERY MONTH)RESIDENT'S NAME: Nate Jackson DATE: 6/30/01P.O.'S NAME: Phil Danchise
(IF APPLICABLE)

CLIENT WAS COUNSELED WITH REGARD TO:

1. VOCATIONAL	GOOD	FAIR	POOR
2. GED / ABE	<u>GOOD</u>	FAIR	POOR
3. DRUG / ALCOHOL ISSUES	<u>GOOD</u>	FAIR	POOR
4. INDIVIDUAL COUNSELING	<u>GOOD</u>	FAIR	POOR
5. GROUP COUNSELING	<u>GOOD</u>	FAIR	POOR
6. UNIT ADJUSTMENT	<u>GOOD</u>	FAIR	POOR
7. REC/LEISURE ACTIVITIES	<u>GOOD</u>	FAIR	POOR
8. BUDGETING	<u>GOOD</u>	FAIR	POOR
9. FAMILY ISSUES	GOOD	<u>FAIR</u>	POOR
10. TRANSPORTATION	GOOD	FAIR	POOR
11. JOB SEARCH / EMPLOYMENT	GOOD	FAIR	POOR
12. PROGRAM PLAN / GOALS	<u>GOOD</u>	FAIR	POOR
13. RELEASE PLANNING	GOOD	FAIR	POOR
14. INCIDENT REPORTS	<u>GOOD</u>	<u>FAIR</u>	POOR
15. URINE / BAC'S	<u>GOOD</u>	FAIR	POOR

POS. _____

EMPLOYER: NA WAGE: _____TENTATIVE RELEASE DATE: 11/24/01 TENTATIVE RELEASE ADDRESS: _____PROJECTED HOME CONFINEMENT DATE: NA (IF APPLICABLE)PROGRESS: Mr Jackson has adjusted fairly well to the facility. He is always respectful of staff and cooperative w/ caseworker. He follows directions, attends all groups, and meets with caseworker as needed.AREAS NEEDING IMPROVEMENT: Mr Jackson needs to be more vocal in groups to get better deal w/ issues regarding substance abuse. He also needs to deal w/ some family issues he has had for a while.RESIDENT'S SIGNATURE: Nathanial Jackson STAFF: John LyleDATE REVIEWED WITH RESIDENT: 6-30-01APPROVED BY: [Signature]
(CREDENTIALS: LSW, CCDC-I OR ABOVE)

COMMUNITY CORRECTIONS ASSOCIATION, INC.

DRUG AND ALCOHOL PROGRESS REPORTS
(TO BE COMPLETED ON 1ST & 15TH OF EVERY MONTH)RESIDENT'S NAME: Nate Jackson DATE: 6/15/01P.O.'S NAME: Phil Duvall
(IF APPLICABLE)

CLIENT WAS COUNSELED WITH REGARD TO:

	GOOD	FAIR	POOR
1. VOCATIONAL	GOOD	FAIR	POOR
2. GED / ABE	GOOD	FAIR	POOR
3. DRUG / ALCOHOL ISSUES	GOOD	FAIR	POOR
4. INDIVIDUAL COUNSELING	GOOD	FAIR	POOR
5. GROUP COUNSELING	GOOD	FAIR	POOR
6. UNIT ADJUSTMENT	GOOD	FAIR	POOR
7. REC/LEISURE ACTIVITIES	GOOD	FAIR	POOR
8. BUDGETING	GOOD	FAIR	POOR
9. FAMILY ISSUES	GOOD	FAIR	POOR
10. TRANSPORTATION	GOOD	FAIR	POOR
11. JOB SEARCH / EMPLOYMENT	GOOD	FAIR	POOR
12. PROGRAM PLAN / GOALS	GOOD	FAIR	POOR
13. RELEASE PLANNING	GOOD	FAIR	POOR
14. INCIDENT REPORTS	GOOD	FAIR	POOR
15. URINE / BAC'S	GOOD	FAIR	POOR

POS. _____

EMPLOYER: NA WAGE: _____TENTATIVE RELEASE DATE: 12/25/01 TENTATIVE RELEASE ADDRESS: _____

PROJECTED HOME CONFINEMENT DATE: _____ (IF APPLICABLE)

PROGRESS: MR JACKSON JUST RETURNED THE FACILITY
ON 5/25 AND APPEARS TO BE ADJUSTING VERY
WELL. HE IS ATTENDING ALL GROUPS & IS ALWAYS
RESPECTFUL OF ALL STAFFAREAS NEEDING IMPROVEMENT: MR JACKSON (HE) IS NEED OF
WORKING AND WE ARE LOOKING AT PLACES IN
THE AREA HE ALSO NEEDS TO BE MORE vocal in
GROUPSRESIDENT'S SIGNATURE: Nathanil Jackson STAFF: Jel SyeDATE REVIEWED WITH RESIDENT: 6/19APPROVED BY: [Signature]
(CREDENTIALS: LSW, CCDC-I OR ABOVE)

COMMUNITY CORRECTIONS ASSOCIATION, INC.

DRUG AND ALCOHOL PROGRESS REPORTS
(TO BE COMPLETED ON 1ST & 15TH OF EVERY MONTH)RESIDENT'S NAME: Nate Jackson DATE: 5/1/11

P.O.'S NAME: _____ (IF APPLICABLE)

CLIENT WAS COUNSELED WITH REGARD TO:

1. VOCATIONAL	GOOD	FAIR	POOR
2. GED / ABE	GOOD	FAIR	POOR
3. DRUG / ALCOHOL ISSUES	GOOD	FAIR	POOR
4. INDIVIDUAL COUNSELING	GOOD	FAIR	POOR
5. GROUP COUNSELING	GOOD	FAIR	POOR
6. UNIT ADJUSTMENT	GOOD	FAIR	POOR
7. REC/LEISURE ACTIVITIES	GOOD	FAIR	POOR
8. BUDGETING	GOOD	FAIR	POOR
9. FAMILY ISSUES	GOOD	FAIR	POOR
10. TRANSPORTATION	GOOD	FAIR	POOR
11. JOB SEARCH / EMPLOYMENT	GOOD	FAIR	POOR
12. PROGRAM PLAN / GOALS	GOOD	FAIR	POOR
13. RELEASE PLANNING	GOOD	FAIR	POOR
14. INCIDENT REPORTS	GOOD	FAIR	POOR
15. URINE / BAC'S	GOOD	FAIR	POOR

POS: _____

EMPLOYER: _____ WAGE: _____

TENTATIVE RELEASE DATE: _____ TENTATIVE RELEASE ADDRESS: _____

PROJECTED HOME CONFINEMENT DATE: _____ (IF APPLICABLE)

PROGRESS: Mr Jackson just entered the facility on 5/25/11 and is still adjusting to facilityAREAS NEEDING IMPROVEMENT: Mr. Jackson will be attending substance abuse, Vocational Employment, and P.B.E.RESIDENT'S SIGNATURE: Nathaniel Jackson STAFF: John DwyerDATE REVIEWED WITH RESIDENT: 5-21-11APPROVED BY: [Signature]

(CREDENTIALS: LSW, CCDC-I OR ABOVE)

A Contractual Agreement:

Nate Jackson Between C.C.D
and

DRUG AND ALCOHOL ABUSE TREATMENT CONTRACT

Goals:

1. Complete a thorough substance abuse history and assessment by 6-1-01
2. Discuss, review and demonstrate that you know and understand the Denial and Problem Identification phase by 6-19-01
3. Complete the Denial and Problem Identification Insight Series by 6-19-01
4. Discuss, review and demonstrate that you know and understand the Cravings Management phase by 7-3-01
5. Complete the Cravings Management Insight Series by 7-7-01
6. Discuss, review and demonstrate that you know and understand the Relapse Prevention phase by 7-17-01
7. Complete the Relapse Prevention Insight Series by 7-20-01
8. Successfully complete the Post-Treatment Evaluation by 7-24-01

DRUG AND ALCOHOL TREATMENT CONTRACT

Resident's Obligations:

1. Read all materials, complete each assessment instrument and provide all necessary information openly and honestly.
2. Read all material, attend all required meetings, complete all reading and writing assignments thoroughly.
3. Read all material, attend all required meetings, complete all reading and writing assignments thoroughly.
4. Read all material, attend all required meetings, complete all reading and writing assignments thoroughly.
5. Read all material, attend all required meetings, complete all reading and writing assignments thoroughly.
6. Read all material, attend all required meetings, complete all reading and writing assignments thoroughly.
7. Read all material, attend all required meetings, complete all reading and writing assignments thoroughly.

Contractual Agreement

ween

-2-

DRUG AND ALCOHOL TREATMENT CONTRACTProgram's Commitment:

1. Administer, interpret and with, treatment team input, develop an accurate assessment.
2. Provide information, discuss tasks and facilitate insight, review each assignment and provide constructive feedback.
3. Provide information, discuss tasks and facilitate insight, review each assignment and provide constructive feedback.
4. Provide information, discuss tasks and facilitate insight, review each assignment and provide constructive feedback.
5. Provide information, discuss tasks and facilitate insight, review each assignment and provide constructive feedback.
6. Provide information, discuss tasks and facilitate insight, review each assignment and provide constructive feedback.
7. Provide information, discuss tasks and facilitate insight, review each assignment and provide constructive feedback.
8. Summarize for treatment team all data to date. Complete evaluations and assess depth of insight developed and motivation to change. Make recommendations regarding program progression.

TARGET DATES	OUTCOME	DATE
1. 6-1-01	complete	6-1-01
2. 6-14-01	complete	6-14-01
3. 6-27-01	complete	6-27-01
4. 7-3-01	complete	7-3-01
5. 7-7-01	complete	7-7-01
6. 7-17-01	complete	7-17-01
7. 7-20-01	complete	7-20-01
8. 7-29-01	complete	7-29-01

CONTRACT NUMBER

one

AGREED TO/FOR DATES

6-1-01

THROUGH

7-29-01

OUTCOME SUMMARY AND SUBSEQUENT ACTION:

RUG AND ALCOHOL TREATMENT CONTRACT

-3-

* In addition to your Drug and Alcohol Treatment Contract, you will be responsible for the following goals:

1. Education: Attend Adult Basic Education 4-5x week. Prepare to take the GED Utilize staff in regards to preparing for the GED

Completion Date: Ongoing Date Completed: _____

2. Budgeting Issues: Develop a budget based on \$30 allowed in facility with your case manager discuss if the \$30 is sufficient to care for all expenses in facility

Completion Date: 6-16-07 Date Completed: 6-16-07

3. Individual Leisure Plans: Begin attending recreational activities provided while in program or paper discuss any leisure activities or diet plans in which you intend to pursue

Completion Date: 6-26-07 Date Completed: 6-26-07

4. Employment Preparation: Begin attending vocational planning classes, complete job readiness, a working resume and begin preparing for job search as well. Discuss any issues regarding employment w/ vocational specialist

Completion Date: 7-26-07 Date Completed: _____

5. Groups: Attend Thinking For A Change, Substance Abuse Therapy, AA, CA, NA, WAA, 32-day group and any other groups assigned by case manager. Participate openly in groups and discuss w/ your case manager any additional related areas of concern.

Completion Date: 7-26-07 Date Completed: _____

6. Other: With your case manager any issues of concern regarding your abstinence. Also discuss which extend meetings you wish to attend. Discuss the importance of gaining a sponsor as well.

Completion Date: 7-22-07 Date Completed: 7-22-07

Agreed to/for dates: _____ through _____

Outcome Summary: _____

Resident Signature: Nathaniel Jackson

Case Manager / Credentials: [Signature]

Unit Director Signature: [Signature]

Approved by: [Signature]

(CREDENTIALS) LSW, CCDC-I or above)

A CONTRACTUAL AGREEMENT

BETWEEN

Nate Jackson

AND

CCA

CLIENT GOALS:

1. SUBSTANCE ABUSE ISSUES:

- ① ATTEND RELAPSE PREVENTION THERAPY GROUP REGULARLY
 ② ATTEND A MINIMUM OF 3 EXTERNAL 12 STEP MEETINGS OF RECOVERY PER WK
 ③ OBTAIN A SPONSOR AND A NETWORK - PEOPLE FOR YOUR SUPPORT GROUP

1. COMPLETION DATE: Ongoing DATE COMPLETED: _____
 2. COMPLETION DATE: Ongoing DATE COMPLETED: _____
 3. COMPLETION DATE: 8/21/11 DATE COMPLETED: _____

2. BUDGETING ISSUES: ① UPON EMPLOYMENT DEVELOP

- A WRITTEN BUDGET BASED ON YOUR NET INCOME. ALSO INCLUDE A PLAN FOR SAVINGS. ② DISCUSS W/ YOUR CASE-MANAGER WHY YOU FEEL IT IS IMPORTANT TO FOLLOW A BUDGET

1. COMPLETION DATE: Ongoing DATE COMPLETED: _____
 2. COMPLETION DATE: Ongoing DATE COMPLETED: _____
 3. COMPLETION DATE: _____ DATE COMPLETED: _____

3. INDIVIDUAL LEISURE PLANS: ① LIST ON PAPER 10 POSITIVE ACTIVITIES YOU WOULD PURSUE WITH LEAVING CCA.

- ② ON PAPER ALSO DISCUSS WHY YOU FEEL IT IS IMPORTANT TO HAVE A BALANCE OF WORK, REST & PLAY

1. COMPLETION DATE: 8/10/11 DATE COMPLETED: _____
 2. COMPLETION DATE: 8/12/11 DATE COMPLETED: _____
 3. COMPLETION DATE: _____ DATE COMPLETED: _____

4. EDUCATION: ① ATTEND ADULT BASE CLASSES AT LEAST 4 TIMES A WK.

- ② DISCUSS W/ CASE MANAGER AND ABE TEACHER WHY YOU FEEL IT IS IMPORTANT TO OBTAIN YOUR GED

1. COMPLETION DATE: Ongoing DATE COMPLETED: _____
 2. COMPLETION DATE: 8/12/11 DATE COMPLETED: _____
 3. COMPLETION DATE: _____ DATE COMPLETED: _____

CONTRACTUAL AGREEMENT

PAGE 2

5. INTERPERSONAL ISSUES:

- ① ON PAPER LIST ALL 12 STEPS OF RECOVERY AND HOW IT WILL AFFECT YOUR RECOVERY.
- ② LIST ON PAPER HOW - YOU WILL APPLY THESE STEPS TO YOUR DAILY LIFESTYLE.

1. COMPLETION DATE: 8/20 DATE COMPLETED: _____
2. COMPLETION DATE: 8/21 DATE COMPLETED: _____
3. COMPLETION DATE: _____ DATE COMPLETED: _____

6. EMPLOYMENT:

- ① SEARCH FREQUENTLY EMPLOYERS UNTIL RELEASED FROM CCA
- ② ATTEND JOB SEARCH 3x UNTIL FULL-TIME IS SECURED

1. COMPLETION DATE: Ongoing DATE COMPLETED: _____
2. COMPLETION DATE: _____ DATE COMPLETED: _____
3. COMPLETION DATE: _____ DATE COMPLETED: _____

7. OTHER:

- ① LIST ON PAPER YOUR GOALS FOR 1 MONTH, 6 MONTH AND 1 YEAR WHEN IT COMES TO FAMILY, FRIENDS AND EMPLOYMENT.
- ② WRITE AN OUTLINE OF HOW YOU WILL (FEEL) GO ABOUT ON CONTACTING YOUR CHILDREN AND BEING PART OF THEIR LIVES

1. COMPLETION DATE: 8/21 DATE COMPLETED: _____
2. COMPLETION DATE: 8/23 DATE COMPLETED: _____
3. COMPLETION DATE: _____ DATE COMPLETED: _____

8. OTHER:

- ① PERSON MAXIMIZING. ON PAPER WRITE DOWN HOW YOUR THOUGHT PROCESS HAS CHANGED SINCE ENTERING CCA.
- ② ALSO WRITE DOWN THE NEGATIVE CONSEQUENCES YOU HAVE SUFFERED AND WHAT YOU HAVE LEARNED FROM THEM

1. COMPLETION DATE: 9/1 DATE COMPLETED: _____
2. COMPLETION DATE: 9/10 DATE COMPLETED: _____
3. COMPLETION DATE: _____ DATE COMPLETED: _____

A CONTRACTUAL AGREEMENT
BETWEEN
_____ AND _____

CLIENT OBLIGATIONS:

- ATTEND AND PARTICIPATE IN ALL GROUPS AND CLASSES.
- ATTEND ALL GROUPS AND CLASSES ON TIME.
- BE OPEN AND HONEST WITH STAFF DURING ALL DISCUSSIONS.
- COMPLETE ALL ASSIGNMENTS ON TIME AND TURN IN TO STAFF.
- DISCUSS ALL PROBLEMS OR CONCERNS AS THEY ARISE
- OTHER: _____
- OTHER: _____

STAFF COMMITMENT

- DISCUSS UNTIL INSIGHT IS DEVELOPED.
- SCHEDULE ALL CLASSES AND GROUPS.
- PROVIDE NECESSARY ASSIGNMENTS TO BE COMPLETED.
- MONITOR PROGRESS ON COMPLETION OF ALL ASSIGNMENTS.
- PROVIDE NECESSARY FEEDBACK
- ASSIST WITH ALL PROBLEMS AND CONCERNS.
- OTHER: _____
- OTHER: _____

CONTRACT NUMBER: 2

AGREED TO FOR DATES: 7/22 THROUGH 9/19

OUTCOME SUMMARY AND SUBSEQUENT ACTION: _____

RESIDENT SIGNATURE: Nathaniel Jackson

DATE: 7-25-01

CASE MANAGER: [Signature]

DATE: 7/15/01

UNIT DIRECTOR APPROVAL: [Signature]

DATE: 7/22/01

USPO APPROVAL: _____

DATE: _____

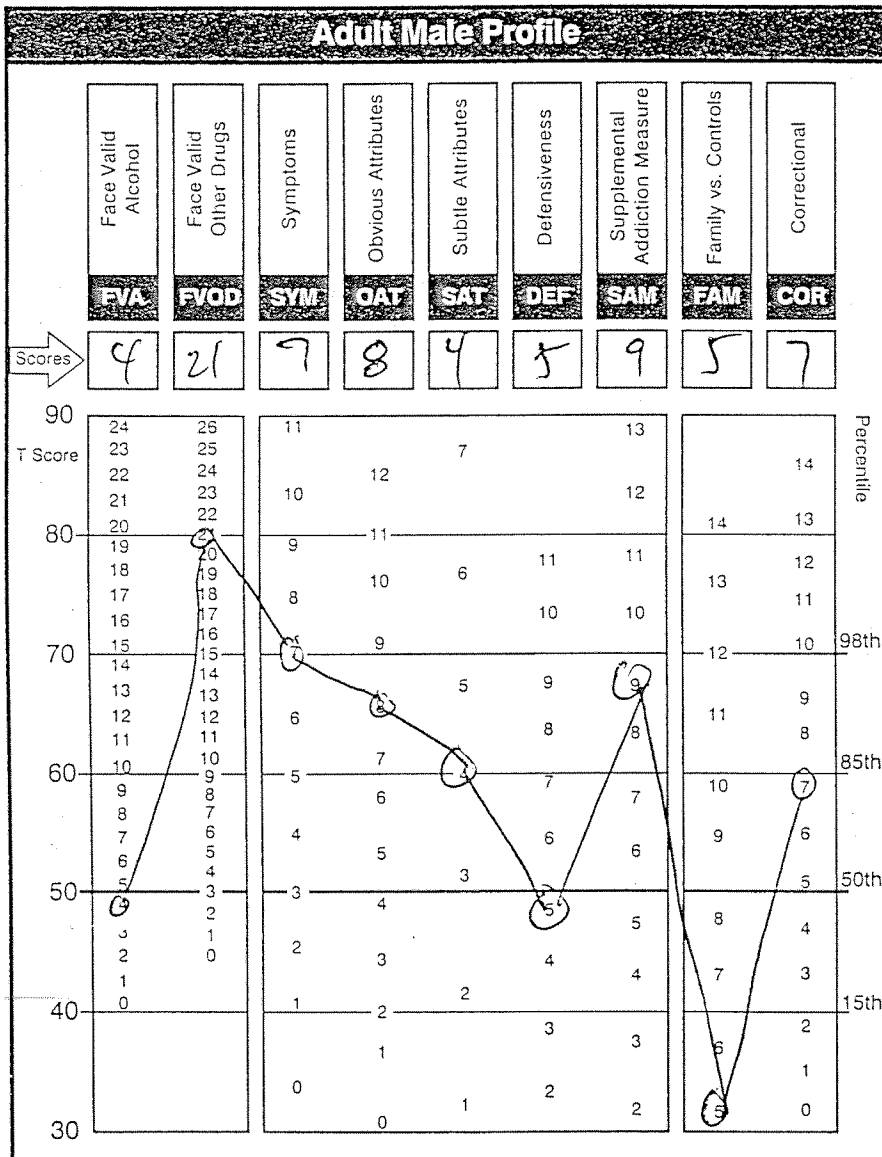
USPO COMMENTS: _____

SASSI-3 Substance Abuse Subtle Screening Inventory

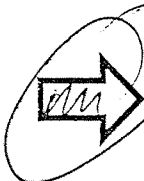
For free consultation on this profile 1-888 BY SASSI • 1-888-297-2774 • M-Th 8-6 • Fri 8-5 EST

the
S.A.S.S.I.Name Nate Jackson Gender M Age _____
Client ID _____ Test Date 5-25-10**RAP** Random Answering Pattern☐ Check if RAP is 2 or more.
Results may not be meaningful.
Try to resolve problem before proceeding.

Check every rule, yes or no.

Rule 1 FVA 18 or more? ☐ yes ☒ no**Rule 2** FVOD 16 or more? ☒ yes ☐ no**Rule 3** SYM 7 or more? ☒ yes ☐ no**Rule 4** OAT 10 or more? ☐ yes ☒ no**Rule 5** SAT 6 or more? ☐ yes ☒ no**Rule 6** OAT 7 or more ____ and SAT 5 or more ____ Both? ☐ yes ☒ no**Rule 7** FVA 9 or more or } ____ and FVOD 15 or more } SAM 8 or more ____ Both? ☐ yes ☒ no**Rule 8** OAT 5 or more ____ and DEF 8 or more ____ and SAM 8 or more ____ All three? ☐ yes ☒ no**Rule 9** FVA 8 or more or } ____ and FVOD 6 or more } SAM 2 or more ____ and DEF 4 or more ____ and SAM 4 or more ____ All four? ☐ yes ☒ no**THE DECISION RULE:**

Any rule answered "yes"?

**HIGH PROBABILITY**

of having a Substance Dependence Disorder

All rules answered "no"?

**LOW PROBABILITY**

of having a Substance Dependence Disorder

Check if DEF is 8 or more. Elevated DEF scores increase the possibility of the SASSI missing substance dependent individuals. Elevated DEF may also reflect situational factors.

If a statement tends to be TRUE for you, fill in the square in the column headed T; that is, if a statement tends to be FALSE for you, fill in the square in the column headed F; that is, please try to answer all questions.

	T	F
1. <input type="checkbox"/> Most people would lie to get what they want.	<input type="checkbox"/>	<input type="checkbox"/>
2. <input type="checkbox"/> Most people make some mistakes in their life.	<input type="checkbox"/>	<input type="checkbox"/>
3. <input type="checkbox"/> I usually "go along" and do what others are doing.	<input type="checkbox"/>	<input type="checkbox"/>
4. <input type="checkbox"/> I have never been in trouble with the police.	<input type="checkbox"/>	<input type="checkbox"/>
5. <input type="checkbox"/> I was always well behaved in school.*	<input type="checkbox"/>	<input type="checkbox"/>
6. <input type="checkbox"/> My troubles are not all my fault.*	<input type="checkbox"/>	<input type="checkbox"/>
7. <input type="checkbox"/> I have not lived the way I should.	<input type="checkbox"/>	<input type="checkbox"/>
8. <input type="checkbox"/> I can be friendly with people who do many wrong things.	<input type="checkbox"/>	<input type="checkbox"/>
9. <input type="checkbox"/> I do not like to sit and daydream.*	<input type="checkbox"/>	<input type="checkbox"/>
10. <input type="checkbox"/> No one has ever criticized or punished me.	<input type="checkbox"/>	<input type="checkbox"/>
11. <input type="checkbox"/> Sometimes I have a hard time sitting still.	<input type="checkbox"/>	<input type="checkbox"/>
12. <input type="checkbox"/> People would be better off if they took my advice.	<input type="checkbox"/>	<input type="checkbox"/>
13. <input type="checkbox"/> At times I feel worn out for no special reason.*	<input type="checkbox"/>	<input type="checkbox"/>
14. <input type="checkbox"/> I think I would enjoy moving to an area I've never been before.	<input type="checkbox"/>	<input type="checkbox"/>
15. <input type="checkbox"/> It is better not to talk about personal problems.	<input type="checkbox"/>	<input type="checkbox"/>
16. <input type="checkbox"/> I have had days, weeks or months when I couldn't get much done because I just wasn't up to it.	<input type="checkbox"/>	<input type="checkbox"/>
17. <input type="checkbox"/> I am very respectful of authority.	<input type="checkbox"/>	<input type="checkbox"/>
18. <input type="checkbox"/> I like to obey the law.*	<input type="checkbox"/>	<input type="checkbox"/>
19. <input type="checkbox"/> I have been tempted to leave home.*	<input type="checkbox"/>	<input type="checkbox"/>
20. <input type="checkbox"/> I often feel that strangers look at me with disapproval.	<input type="checkbox"/>	<input type="checkbox"/>
21. <input type="checkbox"/> Other people would fall apart if they had to deal with what I handle.	<input type="checkbox"/>	<input type="checkbox"/>
22. <input type="checkbox"/> I have avoided people I did not wish to speak to.	<input type="checkbox"/>	<input type="checkbox"/>
23. <input type="checkbox"/> Some crooks are so clever that I hope they get away with what they have done.	<input type="checkbox"/>	<input type="checkbox"/>
24. <input type="checkbox"/> My school teachers had some problems with me.*	<input type="checkbox"/>	<input type="checkbox"/>
25. <input type="checkbox"/> I have never done anything dangerous just for fun.	<input type="checkbox"/>	<input type="checkbox"/>
26. <input type="checkbox"/> I need to have something to do so I don't get bored.	<input type="checkbox"/>	<input type="checkbox"/>
27. <input type="checkbox"/> I have sometimes drunk too much.*	<input type="checkbox"/>	<input type="checkbox"/>
28. <input type="checkbox"/> Much of my life is uninteresting.*	<input type="checkbox"/>	<input type="checkbox"/>
29. <input type="checkbox"/> Sometimes I wish I could control myself better.*	<input type="checkbox"/>	<input type="checkbox"/>
30. <input type="checkbox"/> I believe that people sometimes get confused.	<input type="checkbox"/>	<input type="checkbox"/>
31. <input type="checkbox"/> Sometimes I am no good for anything at all.*	<input type="checkbox"/>	<input type="checkbox"/>
32. <input type="checkbox"/> I break more laws than many people.*	<input type="checkbox"/>	<input type="checkbox"/>
33. <input type="checkbox"/> If some friends and I were in trouble together, I would rather take the whole blame than tell on them.	<input type="checkbox"/>	<input type="checkbox"/>
34. <input type="checkbox"/> Crying does not help anything.	<input type="checkbox"/>	<input type="checkbox"/>
35. <input type="checkbox"/> I think there is something wrong with my memory.*	<input type="checkbox"/>	<input type="checkbox"/>
36. <input type="checkbox"/> I have sometimes been tempted to hit people.*	<input type="checkbox"/>	<input type="checkbox"/>
37. <input type="checkbox"/> My most important successes are not a direct result of my effort.	<input type="checkbox"/>	<input type="checkbox"/>
38. <input type="checkbox"/> I always feel sure of myself.	<input type="checkbox"/>	<input type="checkbox"/>
39. <input type="checkbox"/> I have never broken a major law.*	<input type="checkbox"/>	<input type="checkbox"/>
40. <input type="checkbox"/> There have been times when I have done things I couldn't remember later.	<input type="checkbox"/>	<input type="checkbox"/>
41. <input type="checkbox"/> I think carefully about all my actions.*	<input type="checkbox"/>	<input type="checkbox"/>
42. <input type="checkbox"/> I have used alcohol or "pot" too much or too often.	<input type="checkbox"/>	<input type="checkbox"/>
43. <input type="checkbox"/> Nearly everyone enjoys being picked on and made fun of.	<input type="checkbox"/>	<input type="checkbox"/>
44. <input type="checkbox"/> I know who is to blame for most of my troubles.	<input type="checkbox"/>	<input type="checkbox"/>
45. <input type="checkbox"/> I frequently make lists of things to do.	<input type="checkbox"/>	<input type="checkbox"/>
46. <input type="checkbox"/> I guess I know some pretty undesirable types.*	<input type="checkbox"/>	<input type="checkbox"/>
47. <input type="checkbox"/> Most people will laugh at a joke at times.	<input type="checkbox"/>	<input type="checkbox"/>
48. <input type="checkbox"/> I have rarely been punished.*	<input type="checkbox"/>	<input type="checkbox"/>
49. <input type="checkbox"/> I smoke cigarettes regularly.	<input type="checkbox"/>	<input type="checkbox"/>
50. <input type="checkbox"/> At times I have been so full of energy that I felt I didn't need sleep for days at a time.	<input type="checkbox"/>	<input type="checkbox"/>
51. <input type="checkbox"/> I have sometimes sat about when I should have been working.*	<input type="checkbox"/>	<input type="checkbox"/>
52. <input type="checkbox"/> I am often resentful.	<input type="checkbox"/>	<input type="checkbox"/>
53. <input type="checkbox"/> I take all my responsibilities seriously.*	<input type="checkbox"/>	<input type="checkbox"/>
54. <input type="checkbox"/> I have neglected obligations to family or work because of drinking or using drugs.	<input type="checkbox"/>	<input type="checkbox"/>
55. <input type="checkbox"/> I have had a drink first thing in the morning to steady my nerves or get rid of a hangover.	<input type="checkbox"/>	<input type="checkbox"/>
56. <input type="checkbox"/> While I was a teenager, I began drinking or using other drugs regularly.	<input type="checkbox"/>	<input type="checkbox"/>
57. <input type="checkbox"/> My father was/is a heavy drinker or drug user.	<input type="checkbox"/>	<input type="checkbox"/>
58. <input type="checkbox"/> When I drink or use drugs I tend to get into trouble.	<input type="checkbox"/>	<input type="checkbox"/>
59. <input type="checkbox"/> My drinking or other drug use causes problems between me and my family.	<input type="checkbox"/>	<input type="checkbox"/>
60. <input type="checkbox"/> I do most of my drinking or drug using away from home.	<input type="checkbox"/>	<input type="checkbox"/>
61. <input type="checkbox"/> At least once a week I use some non-prescription antacid and/or diarrhea medicine.	<input type="checkbox"/>	<input type="checkbox"/>
62. <input type="checkbox"/> I have never felt sad over anything.	<input type="checkbox"/>	<input type="checkbox"/>
63. <input type="checkbox"/> I am rarely at a loss for words.*	<input type="checkbox"/>	<input type="checkbox"/>
64. <input type="checkbox"/> I am usually happy.*	<input type="checkbox"/>	<input type="checkbox"/>
65. <input type="checkbox"/> I am a restless person.	<input type="checkbox"/>	<input type="checkbox"/>
66. <input type="checkbox"/> I like doing things on the spur of the moment.	<input type="checkbox"/>	<input type="checkbox"/>
67. <input type="checkbox"/> I am a binge drinker/drug user.	<input type="checkbox"/>	<input type="checkbox"/>

Name

KATIA AUGUSTINE JACKSON

Date

5-25-01

Sex

M

Age

29

IT IS ILLEGAL TO REPRODUCE THIS FORM

©Copyright, June 1997 by Glenn Miller

S.A.S.S.I.

*These items are taken from the Psychological Screening Inventory. Copyrighted 1988 by Richard L. Lanyon, Ph.D. and are used here by permission.

SASSI - 3
ADULT FORM

MMPI-2 ADULT INTERPRETIVE SYSTEM

developed by
Roger L. Greene, PhD
and PAR Staff

Client Information

Name :	Nathaniel Edwin Jackson
Age :	29
Gender :	Male
Marital Status :	Never Married
Birth Date :	02/13/1972
Admin. Date :	6 /10/2001

The interpretive information contained in this report should be viewed as only one source of hypotheses about the individual being evaluated. No decisions should be based solely on the information contained in this report. This material should be integrated with all other sources of information in reaching professional decisions about this individual. This report is confidential and intended for use by qualified professionals only. It should not be released to the individual being evaluated.

Copyright (c) 1990, 1997, 1998 by
Psychological Assessment Resources, Inc.
All rights are reserved.
MMPI-2 is a registered trademark of the University of Minnesota

MMPI-2 Adult Interpretive System

cca

Nathaniel Edwin Jackson

Page:2

PROFILE MATCHES AND SCORES FOR STANDARD VALIDITY AND CLINICAL SCALES

	Scale	Client's <u>Profile</u>	Best Fit Prototype <u>Profile</u>
Codetype:		Spike 4-(2)	Spike 4-(2)
rc:		0.848	0.848
D2:		400	400
	L	70+	56
	F	51	51
	K	56	51
	1 Hs	45	49
	2 D	59	60
	3 Hy	47	52
	4 Pd	74	72
	5 Mf	42	43
	6 Pa	42	50
	7 Pt	55	51
	8 Sc	56	49
	9 Ma	47	49
	0 Si	47	50

Mean Clinical		
Elevation:	53	53
Scatter:	10	10
Client Age:	29	34
Men (Percent):	X	80%
Women (Percent):		20%

MMPI-2 Adult Interpretive System
cca
Nathaniel Edwin Jackson
Page:3

CONFIGURAL VALIDITY SCALES INTERPRETATION

There is no interpretation available for this configuration of the L, F, and K scales. The validity of this administration of the MMPI-2 will need to be ascertained by reviewing these three scales individually as well as other measures of consistency and accuracy of item endorsement.

CONFIGURAL CLINICAL SCALES INTERPRETATION

Codetype: Spike 4-(2)

CLINICAL PRESENTATION:

Moods

He reports mild emotional distress. Although life is not a strain for him and he is happy most of the time, he wishes that he could be as happy as others seem to be, and he thinks that he has not lived the "right kind of life. He also feels useless at times. That is, there are undercurrents of a chronic dysphoria that he may not recognize.

Cognitions

He thinks clearly and rationally and reports good insight into his behavior. His memory and concentration skills are very good. His confidence and assurance in his abilities may be a facade for underlying feelings of insecurity, inadequacy, and dependency. Criticism or scolding bothers him greatly.

Interpersonal Relations

He is extraverted and makes a good first impression on others, but this impression does not last long. His interpersonal relations are often shallow and superficial. These relations typically are not reciprocal and are marked by distrust, a lack of empathy, and irresponsibility. His family is critical of him, and he is alienated from them. He wanted to leave home.

Other Problem Areas

He is very likely to abuse substances. He is very likely to have engaged in antisocial

MMPI-2 Adult Interpretive System

cca

Nathaniel Edwin Jackson

Page:4

behaviors during his school years and to continue to engage in reckless behaviors that may or may not be explicitly illegal. He believes that he is in good physical health and that he is as able to work now as he was in the past. He is unlikely to have suicidal ideation.

TREATMENT:

His prognosis is guarded unless treatment begins early in his life. He is experiencing little emotional distress, and he expects others to change to meet his expectations. He is not inclined to undertake any serious examination of his behavior. Short-term, behavior interventions focused on his reasons for entering treatment will be most effective.

POSSIBLE DIAGNOSES:

Axis I - R/O Adjustment Disorders

309.0 Adjustment Disorder with Depressed Mood

309.3 Adjustment Disorder with Disturbance of Conduct

R/O Mood Disorders

292.84 Substance-Induced Mood Disorder

300.4 Dysthymic Disorder

311 Depressive Disorder NOS

R/O Substance-Related Disorders

305.00 Alcohol Abuse

305.40 Sedative, Hypnotic, or Anxiolytic Abuse

Axis II - R/O Personality Disorders

301.7 Antisocial Personality Disorder

301.81 Narcissistic Personality Disorder

VALIDITY AND CLINICAL SCALES

VALIDITY SCALES

L T = 70

He may be either a normal individual who is very self-controlled, rigid, and lacking in insight; a person who uses excessive repression and denial; or a naive and unsophisticated individual who is attempting to create a very favorable impression of himself. Psychiatric patients who score in this range and have all clinical scales below a T score of 65 may exhibit a psychotic disorder.

F T = 51

MMPI-2 Adult Interpretive System
cca
Nathaniel Edwin Jackson
Page:5

He responded to the test items as do most individuals who are relatively free of stress.

K T = 56

He exhibits an appropriate balance between self-disclosure and self-protection. He is psychologically well-adjusted and capable of dealing with problems in his daily life. Scores in this range also are indicative of good ego strength, sufficient personal resources to deal with problems, a positive self-image, adaptability, and a wide range of interests. Prognosis for psychological intervention is generally good.

CLINICAL SCALES

1 Hs = 45

This score is considered to be within normal limits.

2 D = 59

Self-Hating
He is not satisfied with his current life situation or with himself. He may not be aware of the degree to which he feels dissatisfied, or he may have learned to adjust to long-term dissatisfaction. Persons experiencing acute distress will rarely score within this range.

3 Hy = 47

This score is considered to be within normal limits.

4 Pd = 74

He is characterized as angry, belligerent, rebellious, resentful of rules and regulations, and hostile toward authority figures. He is likely to be impulsive, unreliable, egocentric, and irresponsible. He often has little regard for social standards. He often shows poor judgment and seems to have difficulty planning ahead and benefiting from his previous experiences. He makes a good first impression, but long-term relationships tend to be rather superficial and unsatisfying. Analysis of the Content Scales and/or the Harris-Lingoes Subscales may facilitate interpretation of scores within the lower end of this range (T scores 60-80).

5 Mf = 42

He identifies strongly with the traditional masculine role. He may overemphasize his strength and physical ability.

MMPI-2 Adult Interpretive System

cca

Nathaniel Edwin Jackson

Page:6

6 Pa = 42

He may be overly trusting and insensitive to and unaware of the motives of other people.

7 Pt = 55

This score is considered to be within normal limits.

8 Sc = 56

This score is considered to be within normal limits.

9 Ma = 47

Scores in this range are considered to be within normal limits. Adolescents and college students tend to score in the upper end of this range (T scores of 54-57). Persons older than 55 years who score in the upper end of this range are likely to be overly energetic and active.

0 Si = 47

This score is considered to be within normal limits.

+++ END OF REPORT +++

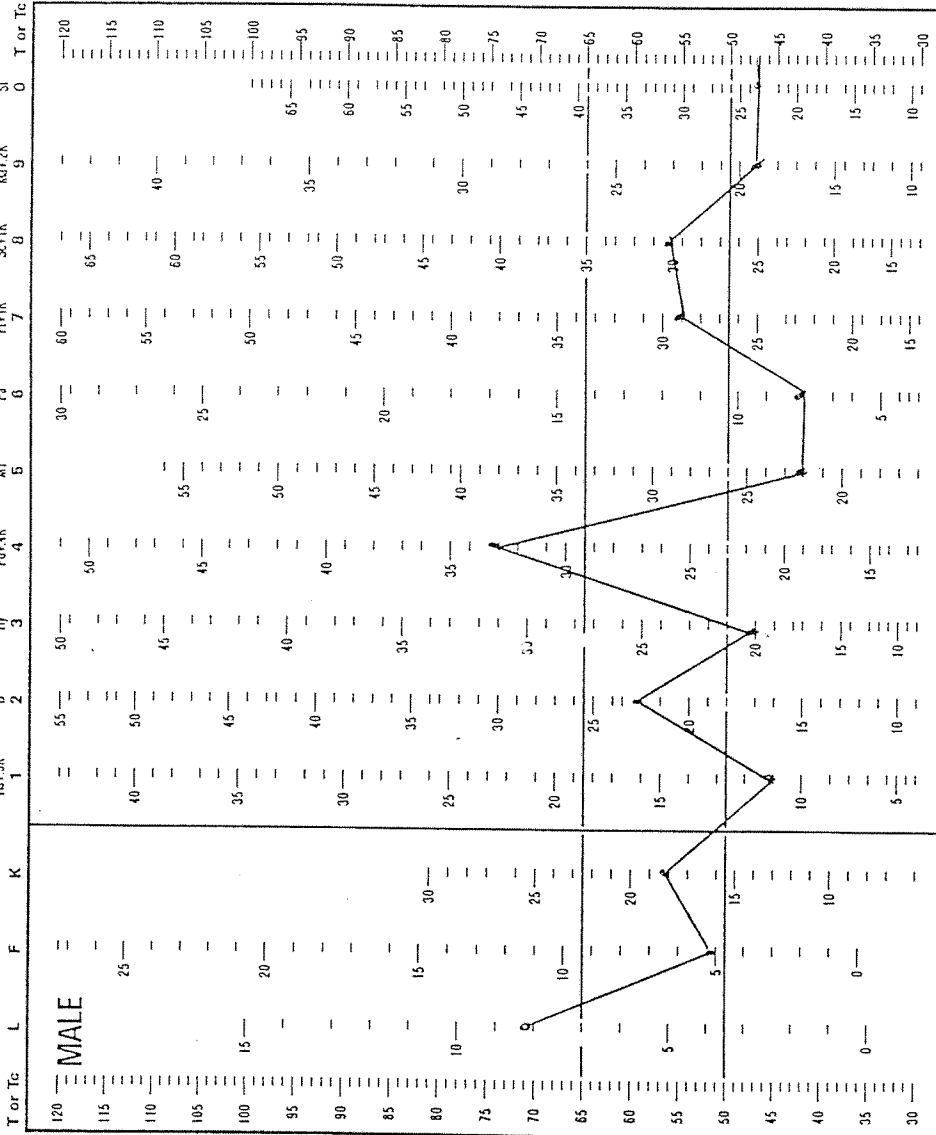
MMPI-2 Minnesota Multiphasic Personality Inventory-2

Profile for Basic Scales

Copyright © 1989 REGENTS OF THE UNIVERSITY OF MINNESOTA. All rights reserved. Copyright © 1942, 1943 (renewed 1970), 1989 REGENTS OF THE UNIVERSITY OF MINNESOTA. All rights reserved. Distributed exclusively by National Computer Systems, Inc., P. O. Box 1416, Minneapolis, MN 55440. 800-627-7271 www.ncs.com
 "MMPI-2" and "Minnesota Multiphasic Personality Inventory-2" are trademarks of the University of Minnesota. The NCS logo is a registered trademark of National Computer Systems, Inc.

Name John J. S. S. S. Date Tested 5/25/08
 Address _____
 Occupation Book Clerk Marital Status S
 Education 10th Grade Age 29
 Referred By John S. S.
 MMPI-2 Code _____

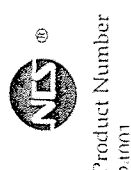
Scorer's Initials _____



LEGEND
 L Infrequency 170
 F Correction 51
 K Hypochondriasis 45
 D Depression 59
 Hy Conversion Hysteria 47
 Pd Psychopathic Deviate 44
 Pt Masculinity-Femininity 42
 Pa Paranoia 43
 Pt Psychasthenia 55
 Sc Schizophrenia 54
 Ma Hypomania 47
 Si Social Introversion 47

T or Tc	L	F	K	D	Hs	Hy	Pd	Pt	Pa	Sc	Ma	Si	T or Tc
Raw Score	8	5	18	2	22	20	26	22	8	11	12	15	23
K to be Added				9			7			18	30	19	
Final Score	8	5	18	11	22	20	33	22	8	29	42	34	23

? Raw Score _____



Softcover Answer Sheet
Hand Scoring

MMPI-2™

*Minnesota Multiphasic
Personality Inventory-2™*

DIRECTIONS:

Please follow these directions when completing the identification areas on this page and responding to the MMPI-2 items on page 3.

1. Print your name, birth date, age, sex, and test date in the area to the right.
2. Use a pencil only and fill in the circles on page 3 with heavy, dark marks.
3. If you make a mistake or change your mind, erase your first response completely and then fill in the correct circle.
4. Do not make any marks outside the circles.

JACKSON NATHANIEL EDWIN
Last Name First Middle

2/13/72 29 M
Birth Date Age Sex

5/25/01
Test Date



DO NOT SEND TO NATIONAL COMPUTER SYSTEMS
USE ONLY FOR HAND SCORING

National Computer Systems P. O. Box 1416 Minneapolis
MN 55440 1-800-627-7271 www.ncs.com

Copyright © 1989 REGENTS OF THE UNIVERSITY OF
MINNESOTA. All rights reserved. Copyright © 1942, 1943
(renewed 1970), 1989 REGENTS OF THE UNIVERSITY OF
MINNESOTA. All rights reserved. Distributed exclusively by
National Computer Systems, Inc.

Printed in the United States of America.

"Minnesota Multiphasic Personality Inventory-2" and "MMPI-2" are
trademarks of the University of Minnesota. The NCS logo is a
registered trademark of National Computer Systems, Inc.

Product Number
24018

SCORES:	?	Pa
	8	Pt
	5	Sc
	18	Ma
	2	Si
	22	
	20	
	24	
	22	

MARKING
DIRECTIONS:

- Make dark, heavy marks that completely fill the circle.
- Use a soft, black lead pencil.
- Erase mistakes cleanly.

81 (T) (F)	137 (T) (F)	191 (T) (F)	245 (T) (F)	301 (T) (F)	357 (T) (F)	411 (T) (F)	465 (T) (F)	521 (T) (F)
82 (T) (F)	138 (T) (F)	192 (T) (F)	247 (T) (F)	302 (T) (F)	358 (T) (F)	412 (T) (F)	466 (T) (F)	522 (T) (F)
83 (T) (F)	139 (T) (F)	193 (T) (F)	248 (T) (F)	303 (T) (F)	359 (T) (F)	413 (T) (F)	467 (T) (F)	523 (T) (F)
84 (T) (F)	140 (T) (F)	194 (T) (F)	249 (T) (F)	304 (T) (F)	360 (T) (F)	414 (T) (F)	468 (T) (F)	524 (T) (F)
85 (T) (F)	141 (T) (F)	195 (T) (F)	250 (T) (F)	305 (T) (F)	361 (T) (F)	415 (T) (F)	469 (T) (F)	525 (T) (F)
86 (T) (F)	142 (T) (F)	196 (T) (F)	251 (T) (F)	306 (T) (F)	362 (T) (F)	416 (T) (F)	470 (T) (F)	526 (T) (F)
87 (T) (F)	143 (T) (F)	197 (T) (F)	252 (T) (F)	307 (T) (F)	363 (T) (F)	417 (T) (F)	471 (T) (F)	527 (T) (F)
88 (T) (F)	144 (T) (F)	198 (T) (F)	253 (T) (F)	308 (T) (F)	364 (T) (F)	418 (T) (F)	472 (T) (F)	528 (T) (F)
89 (T) (F)	145 (T) (F)	199 (T) (F)	254 (T) (F)	309 (T) (F)	365 (T) (F)	419 (T) (F)	473 (T) (F)	529 (T) (F)
90 (T) (F)	146 (T) (F)	200 (T) (F)	255 (T) (F)	310 (T) (F)	366 (T) (F)	420 (T) (F)	474 (T) (F)	530 (T) (F)
91 (T) (F)	147 (T) (F)	201 (T) (F)	256 (T) (F)	311 (T) (F)	367 (T) (F)	421 (T) (F)	475 (T) (F)	531 (T) (F)
92 (T) (F)	148 (T) (F)	202 (T) (F)	257 (T) (F)	312 (T) (F)	368 (T) (F)	422 (T) (F)	476 (T) (F)	532 (T) (F)
93 (T) (F)	149 (T) (F)	203 (T) (F)	258 (T) (F)	313 (T) (F)	369 (T) (F)	423 (T) (F)	477 (T) (F)	533 (T) (F)
94 (T) (F)	150 (T) (F)	204 (T) (F)	259 (T) (F)	314 (T) (F)	370 (T) (F)	424 (T) (F)	478 (T) (F)	534 (T) (F)
95 (T) (F)		205 (T) (F)	260 (T) (F)	315 (T) (F)		425 (T) (F)	479 (T) (F)	535 (T) (F)

1 (T) (F)	41 (T) (F)	96 (T) (F)	151 (T) (F)	206 (T) (F)	261 (T) (F)	316 (T) (F)	371 (T) (F)	426 (T) (F)	481 (T) (F)	536 (T) (F)
2 (T) (F)	42 (T) (F)	97 (T) (F)	152 (T) (F)	207 (T) (F)	262 (T) (F)	317 (T) (F)	372 (T) (F)	427 (T) (F)	482 (T) (F)	537 (T) (F)
3 (T) (F)	43 (T) (F)	98 (T) (F)	153 (T) (F)	208 (T) (F)	263 (T) (F)	318 (T) (F)	373 (T) (F)	428 (T) (F)	483 (T) (F)	538 (T) (F)
4 (T) (F)	44 (T) (F)	99 (T) (F)	154 (T) (F)	209 (T) (F)	264 (T) (F)	319 (T) (F)	374 (T) (F)	429 (T) (F)	484 (T) (F)	539 (T) (F)
5 (T) (F)	45 (T) (F)	100 (T) (F)	155 (T) (F)	210 (T) (F)	265 (T) (F)	320 (T) (F)	375 (T) (F)	430 (T) (F)	485 (T) (F)	540 (T) (F)
6 (T) (F)	46 (T) (F)	101 (T) (F)	156 (T) (F)	211 (T) (F)	266 (T) (F)	321 (T) (F)	376 (T) (F)	431 (T) (F)	486 (T) (F)	541 (T) (F)
7 (T) (F)	47 (T) (F)	102 (T) (F)	157 (T) (F)	212 (T) (F)	267 (T) (F)	322 (T) (F)	377 (T) (F)	432 (T) (F)	487 (T) (F)	542 (T) (F)
8 (T) (F)	48 (T) (F)	103 (T) (F)	158 (T) (F)	213 (T) (F)	268 (T) (F)	323 (T) (F)	378 (T) (F)	433 (T) (F)	488 (T) (F)	543 (T) (F)
9 (T) (F)	49 (T) (F)	104 (T) (F)	159 (T) (F)	214 (T) (F)	269 (T) (F)	324 (T) (F)	379 (T) (F)	434 (T) (F)	489 (T) (F)	544 (T) (F)
10 (T) (F)	50 (T) (F)	105 (T) (F)	160 (T) (F)	215 (T) (F)	270 (T) (F)	325 (T) (F)	380 (T) (F)	435 (T) (F)	490 (T) (F)	545 (T) (F)
11 (T) (F)	51 (T) (F)	106 (T) (F)	161 (T) (F)	216 (T) (F)	271 (T) (F)	326 (T) (F)	381 (T) (F)	436 (T) (F)	491 (T) (F)	546 (T) (F)
12 (T) (F)	52 (T) (F)	107 (T) (F)	162 (T) (F)	217 (T) (F)	272 (T) (F)	327 (T) (F)	382 (T) (F)	437 (T) (F)	492 (T) (F)	547 (T) (F)
13 (T) (F)	53 (T) (F)	108 (T) (F)	163 (T) (F)	218 (T) (F)	273 (T) (F)	328 (T) (F)	383 (T) (F)	438 (T) (F)	493 (T) (F)	548 (T) (F)
14 (T) (F)	54 (T) (F)	109 (T) (F)	164 (T) (F)	219 (T) (F)	274 (T) (F)	329 (T) (F)	384 (T) (F)	439 (T) (F)	494 (T) (F)	549 (T) (F)
15 (T) (F)	55 (T) (F)	110 (T) (F)	165 (T) (F)	220 (T) (F)	275 (T) (F)	330 (T) (F)	385 (T) (F)	440 (T) (F)	495 (T) (F)	550 (T) (F)

16 (T) (F)	56 (T) (F)	111 (T) (F)	166 (T) (F)	221 (T) (F)	276 (T) (F)	331 (T) (F)	386 (T) (F)	441 (T) (F)	496 (T) (F)	551 (T) (F)
17 (T) (F)	57 (T) (F)	112 (T) (F)	167 (T) (F)	222 (T) (F)	277 (T) (F)	332 (T) (F)	387 (T) (F)	442 (T) (F)	497 (T) (F)	552 (T) (F)
18 (T) (F)	58 (T) (F)	113 (T) (F)	168 (T) (F)	223 (T) (F)	278 (T) (F)	333 (T) (F)	388 (T) (F)	443 (T) (F)	498 (T) (F)	553 (T) (F)
19 (T) (F)	59 (T) (F)	114 (T) (F)	169 (T) (F)	224 (T) (F)	279 (T) (F)	334 (T) (F)	389 (T) (F)	444 (T) (F)	499 (T) (F)	554 (T) (F)
20 (T) (F)	60 (T) (F)	115 (T) (F)	170 (T) (F)	225 (T) (F)	280 (T) (F)	335 (T) (F)	390 (T) (F)	445 (T) (F)	500 (T) (F)	555 (T) (F)
21 (T) (F)	61 (T) (F)	116 (T) (F)	171 (T) (F)	226 (T) (F)	281 (T) (F)	336 (T) (F)	391 (T) (F)	446 (T) (F)	501 (T) (F)	556 (T) (F)
22 (T) (F)	62 (T) (F)	117 (T) (F)	172 (T) (F)	227 (T) (F)	282 (T) (F)	337 (T) (F)	392 (T) (F)	447 (T) (F)	502 (T) (F)	557 (T) (F)
23 (T) (F)	63 (T) (F)	118 (T) (F)	173 (T) (F)	228 (T) (F)	283 (T) (F)	338 (T) (F)	393 (T) (F)	448 (T) (F)	503 (T) (F)	558 (T) (F)
24 (T) (F)	64 (T) (F)	119 (T) (F)	174 (T) (F)	229 (T) (F)	284 (T) (F)	339 (T) (F)	394 (T) (F)	449 (T) (F)	504 (T) (F)	559 (T) (F)
25 (T) (F)	65 (T) (F)	120 (T) (F)	175 (T) (F)	230 (T) (F)	285 (T) (F)	340 (T) (F)	395 (T) (F)	450 (T) (F)	505 (T) (F)	560 (T) (F)
26 (T) (F)	66 (T) (F)	121 (T) (F)	176 (T) (F)	231 (T) (F)	286 (T) (F)	341 (T) (F)	396 (T) (F)	451 (T) (F)	506 (T) (F)	561 (T) (F)
27 (T) (F)	67 (T) (F)	122 (T) (F)	177 (T) (F)	232 (T) (F)	287 (T) (F)	342 (T) (F)	397 (T) (F)	452 (T) (F)	507 (T) (F)	562 (T) (F)
28 (T) (F)	68 (T) (F)	123 (T) (F)	178 (T) (F)	233 (T) (F)	288 (T) (F)	343 (T) (F)	398 (T) (F)	453 (T) (F)	508 (T) (F)	563 (T) (F)
29 (T) (F)	69 (T) (F)	124 (T) (F)	179 (T) (F)	234 (T) (F)	289 (T) (F)	344 (T) (F)	399 (T) (F)	454 (T) (F)	509 (T) (F)	564 (T) (F)
30 (T) (F)	70 (T) (F)	125 (T) (F)	180 (T) (F)	235 (T) (F)	290 (T) (F)	345 (T) (F)	400 (T) (F)	455 (T) (F)	510 (T) (F)	565 (T) (F)

31 (T) (F)	71 (T) (F)	126 (T) (F)	181 (T) (F)	236 (T) (F)	291 (T) (F)	346 (T) (F)	401 (T) (F)	456 (T) (F)	511 (T) (F)	566 (T) (F)
32 (T) (F)	72 (T) (F)	127 (T) (F)	182 (T) (F)	237 (T) (F)	292 (T) (F)	347 (T) (F)	402 (T) (F)	457 (T) (F)	512 (T) (F)	567 (T) (F)
33 (T) (F)	73 (T) (F)	128 (T) (F)	183 (T) (F)	238 (T) (F)	293 (T) (F)	348 (T) (F)	403 (T) (F)	458 (T) (F)	513 (T) (F)	
34 (T) (F)	74 (T) (F)	129 (T) (F)	184 (T) (F)	239 (T) (F)	294 (T) (F)	349 (T) (F)	404 (T) (F)	459 (T) (F)	514 (T) (F)	
35 (T) (F)	75 (T) (F)	130 (T) (F)	185 (T) (F)	240 (T) (F)	295 (T) (F)	350 (T) (F)	405 (T) (F)	460 (T) (F)	515 (T) (F)	
36 (T) (F)	76 (T) (F)	131 (T) (F)	186 (T) (F)	241 (T) (F)	296 (T) (F)	351 (T) (F)	406 (T) (F)	461 (T) (F)	516 (T) (F)	
37 (T) (F)	77 (T) (F)	132 (T) (F)	187 (T) (F)	242 (T) (F)	297 (T) (F)	352 (T) (F)	407 (T) (F)	462 (T) (F)	517 (T) (F)	
38 (T) (F)	78 (T) (F)	133 (T) (F)	188 (T) (F)	243 (T) (F)	298 (T) (F)	353 (T) (F)	408 (T) (F)	463 (T) (F)	518 (T) (F)	
39 (T) (F)	79 (T) (F)	134 (T) (F)	189 (T) (F)	244 (T) (F)	299 (T) (F)	354 (T) (F)	409 (T) (F)	464 (T) (F)	519 (T) (F)	
40 (T) (F)	80 (T) (F)	135 (T) (F)	190 (T) (F)	245 (T) (F)	300 (T) (F)	355 (T) (F)	410 (T) (F)	465 (T) (F)	520 (T) (F)	

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,

:

Plaintiff,

: Case No. 01-CR-794

-VS-

:

NATHANIEL JACKSON,

:

Defendant.

:

EXHIBIT _____

AFFIDAVIT OF PAULINE KORNEAGAY

STATE OF OHIO

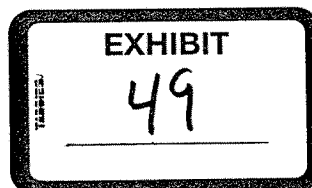
:

: ss:

COUNTY OF MAHONING :

Pauline Korneagay, after being duly sworn according to law, states as follows:

1. I am the mother of Nate Jackson.
2. I have lived with Raymond Dickerson for the past twenty years.
3. Nate was not a behavior problem when he was a kid. However, he often failed to attend school and when he did he talked back to the teachers. I told him that he should go to school, but he would not listen. I never knew that he pushed a teacher down the steps.
4. Nate was close to his real dad Charles Paige who died recently. Nate was also close to his sister, Tausha.
5. Nate lived with his grandmother for a while because he was too unruly to live with me. His grandmother would often talk to him about his behavior.
6. After Nate became an adult he started hanging around with drug dealers and users.



PAULINE KORNEAGAY

7. Nate had to go to a doctor because someone broke his jaw when he tried to break into someone else's house.

8. Nate lived where he could once he became addicted to crack. Family members would not let him stay with them because he would steal from them to support his habit.

9. I had to put locks on our two deep freezers because Nate would steal meat from the house and sell it to get drugs. I also had to put locks on our bedroom door. Nate stole the license plate off my car. I bought my mother a rose and Nate stole the rose.

10. Nate was close to his children. However his crack problem got so bad that he stole his son's clothes as well as the mother's car.

11. After Nate became an adult, I would have problems with him and have to call the police.

12. Nate was with Donna for about two years. I tried to warn him about Donna but he would not listen to me. Donna provided him with money, clothes and drugs. Nate enjoyed the lifestyle and he saw no reason to change.

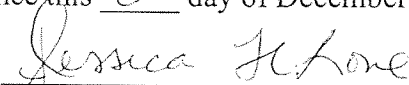
13. I did not hear from Nate's attorney until I went to the courthouse to testify. I met the attorneys in a room at the court house. They asked me questions about the facts of the case. They asked me very different questions when I testified. I never heard from the attorney again. If asked I would have told the jury the facts in this paper.

Further affiant saith naught.



PAULINE KORNEAGAY

Sworn to and subscribed in my presence this 2nd ^{MARCH, 2004} day of December, 2003.



NOTARY PUBLIC



JESSICA H. LOVE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOVEMBER 22, 2008

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CASE NO. 01-CR-794

STATE OF OHIO, :
 :
Plaintiff, : Case No. 01-CR-794
 :
-vs- :
 :
NATHANIEL JACKSON, :
 :
Defendant. :

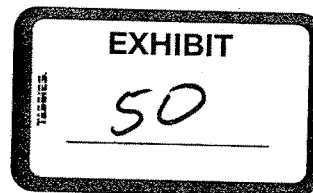
EXHIBIT _____

AFFIDAVIT OF TAUSHA KORNEAGAY

STATE OF OHIO :
 : ss:
COUNTY OF MAHONING :

Tausha Korneagay, after being duly sworn according to law states as follows:

1. I am the sister of Nate Jackson.
2. Nate and I lived with our grandmother when growing up. Her house was right next door to my mother's house. I began living with my grandmother when I was in elementary school.
3. Nate did not do well in school. He dropped out in the eleventh grade. He was sent to Stambaugh Middle School because he would not listen to his teachers and he would talk back to them.
4. Nate once got beat up by some guys who broke his ribs.
5. Nate would steal anything to get money for his drug habit. My mom put a lock on the freezer to keep him from stealing food. She also kept her bedroom locked. Nate did not sell drugs, he just used them.



T.K.

6. Someone shot at Nate and hit him with a bullet. Nate said he stole something from the guy who shot him.

7. Nate has a daughter. They are real close. The mother of his daughter left him because he was a drug addict. He also has a son. The mother of his son is a drug addict.

8. Nate was living on the street because of his addiction.

9. Kevin Perry and I tried to get Nate help for his drug problem. We got him into Bellmont Drug Treatment Center when he dropped out after two weeks.

10. Nate seemed really happy after he met Donna. She bought Nate drugs and nice clothes. Donna let Nate drive real nice cars. She gave him whatever he wanted. Nate was impressed by her.

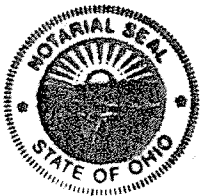
11. Nate was real impressed with Donna's status. I felt that there was something wrong with Donna but I did not tell Nate.

Further affiant saith naught.


TAUSHA KORNEAGAY

Sworn to and subscribed in my presence this 8 day of December, 2003. ^{MARCH 2004}


NOTARY PUBLIC



JESSICA H. LOVE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOVEMBER 22, 2007

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,

:

Plaintiff,

: Case No. 01-CR-794

-VS-

:

NATHANIEL JACKSON,

:

Defendant.

:

EXHIBIT _____

AFFIDAVIT OF ANTHONY KORNEAGAY

STATE OF OHIO

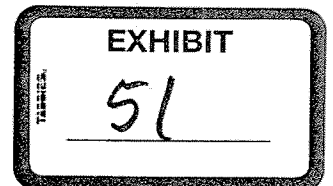
:

: ss:

COUNTY OF MAHONING :

Anthony Korneagay, after being duly sworn according to law, states as follows:

1. I am the brother of Nate. I am six years younger than Nate.
2. Nate and I grew up in a rough neighborhood. We often heard gunshots. It was tough to go out and play. The neighborhood is better now.
3. When Nate got older he got addicted to drugs. He used to stay out with Shawn and Mike Rushton. They are now in jail. Some of the guys he used to stay out with are now in jail. Nate carried drugs for the dealers.
4. After Nate got addicted, he stole from everyone, including his family. Nate stole from so many people that they used to walk up to me and tell me that they were going to kill Nate. My family had to leave our house at times because there were so many threats from people he stole from.



Anthony Korneagay

5. When Nate would get high he would not get mean. He might get mad, but he would just cuss you out. Nate was afraid of me. I had beat him up. Nate never carried a gun. He was afraid of guns. I never saw Nate hurt anyone to get drugs. He was a thief and addict, not a murderer.

6. I used to smoke weed and I have spent some time in jail. I made a change in my life. I do not know why Nate did not change. The Court once told him to get drug treatment. It did not help his problem.

7. I saw Nate around Donna Roberts. She gave him money, drugs and other stuff. This made Nate feel real good. There was something about Donna that was just not right. If contacted I would have been willing to testify for him and give the jury the information contained in this paper.

8. I was never contacted by Nate's attorneys at the time of his trial.

Further affiant saith naught.

Anthony Korneagay 3-8-04
ANTHONY KORNEAGAY

Sworn to and subscribed in my presence this 8th day of ^{MARCH} ~~December~~, 2003⁴.

Jessica H. Love
NOTARY PUBLIC

#191152



JESSICA H. LOVE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOVEMBER 22, 2006

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,

:

Plaintiff,

: Case No. 01-CR-794

-VS-

:

NATHANIEL JACKSON,

:

Defendant.

:

EXHIBIT _____

AFFIDAVIT OF RAYMOND DICKERSON

STATE OF OHIO

:

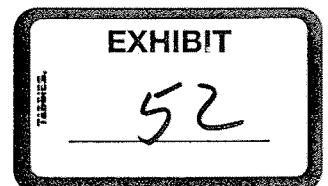
: ss:

COUNTY OF MAHONING :

Raymond Dickerson, after being duly sworn according to law, states as follows:

1. I am a long time friend of Nate's mother and I have lived with her for about twenty years.
2. Nate was never very good about listening to me. I quit trying to tell him what to do because he would not listen.
3. Nate started hanging with the wrong people. He used to be close to Shawn and Mike Rushton. They are now in jail.
4. Nate started living on the streets when he got hooked on crack.
5. Nate started hanging with Donna Roberts. She used to give him drugs and money. She let him drive big, new cars. I knew that something was wrong with Donna but Nate would not listen to me.

R.D.



6. I was with Nate's mom when we heard about his arrest. It really surprised us because Nate was not violent. Pauline and I were so upset that we went out and got drunk.

7. I first talked to Nate's attorney when I came to court to testify. The questions they asked me before testifying had nothing to do with what they asked me in court.

Further affiant saith naught.

Raymond Dickerson
RAYMOND DICKERSON

Sworn to and subscribed in my presence this 25 ^{MARCH 2004} day of ~~December~~, 2003.

Jessica H. Love
NOTARY PUBLIC



JESSICA H. LOVE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOVEMBER 22, 2008

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO, :
 :
Plaintiff, : Case No. 01-CR-794
 :
-vs- :
 :
NATHANIEL JACKSON, :
 :
Defendant. :

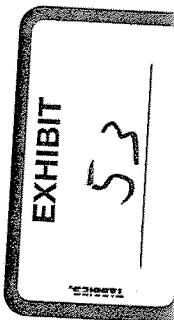
EXHIBIT _____

AFFIDAVIT OF KEVIN PERRY

STATE OF OHIO :
 : ss:
COUNTY OF MAHONING :

Kevin Perry, after being duly sworn according to law, states as follows:

1. I am the fiancée of Nate Jackson's sister, Tausha Korneagay. I have known Nate for a number of years.
2. For as long as I have known Nate, he never had any contact with his real dad.
3. Nate does not have a good relationship with his mother.
4. Nate's mother never showed any love for him. She gave all her love to her son Tony. She never wanted to have anything to do with her other children. This hurt Nate real bad.
5. Nate's mother is a binge drinker. When my fiancée was about to deliver her child, Nate's mother showed up drunk at the hospital.
6. I learned that Nate's mother previously shot someone.
7. Nate and his sister Tausha lived for a number of years with their grandmother because their mother was not a good mother to them.
8. Nate's stepfather Raymond Dickerson was not there for Nate. He drinks and does not hold down jobs. He disappears for weeks.
9. Nate did not have a person in his life who acted like a father.



KP

10. Nate is very close to his sister, Tausha. She has been the only person there for him.

11. Nate has had a drug problem all the time that I knew him. He uses crack. Nate wanted to get off crack, but for the wrong reasons. It was always to please others, but not to help himself.

12. Nate always wanted people to think that he was a tough guy, but he never really was. Nate used to tell people he was a "crip" and his brother was a "blood". This was just Nate bragging. Members of the same gang could not live in the same house. Nate was neither tough nor a drug dealer.

13. Nate was never good at picking up women. He always seemed to pick the wrong ones.

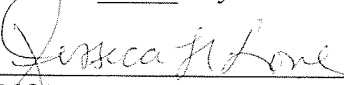
14. Donna Roberts took advantage of Nate. She used to give Nate stuff he never had.

15. I never talked with Nate's attorney at the time of trial. If they had subpoenaed me I would have come to court and testified to the facts in this paper. Nate is not a killer.

Further affiant saith naught.


KEVIN PERRY

Sworn to and subscribed in my presence this 8th day of MARCH, 2004 December, 2003.


NOTARY PUBLIC

#191098



JESSICA H. LOVE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOVEMBER 22, 2008

Service: C10-8

DEBIT REPORT
SORT: NUMERIC

Service No.	Name	Address	DOB	SSN	Annual No.	T
1	BISHOP JR, WALTER A	504 MONTROSE AVE YOUNGSTOWN OH 44505	03/18/1954		10761	6
2	MANCINI, KIMBERLY A	307 CLIFTON DR NE WARREN OH 44484	09/01/1978		7269	1
3	FENTON, HAROLD W	148 ROSELAWN AVE NE WARREN OH 44483	02/09/1933	291-28-3166	9739	1
4	GREGORY, BILL L	5140 KUSZMAUL AVE NW WARREN OH 44483	05/03/1933	000-00-0000	5263	1
5	CALDWELL, CASSENDRA A	5947 DOWNS RD NW WARREN OH 44481	08/27/1982		5804	219
6	BARTZ, JAMES N	1143 WESTOVER DR SE WARREN OH 44484	01/10/1933	386-28-7026	11623	2708
7	PHILLIPS, ARTHUR P	1179 LESLIE LANE GIRARD OH 44420	02/11/1950	195-36-7218	13118	1647
8	BOWERS, LYNN M	163 KENILWORTH AVE NE WARREN OH 44483	07/08/1960	289-70-7431	7414	1829
9	STAN, EUGENE	3945 ALEESA DR SE WARREN OH 44484	05/21/1934	283-28-7057	12622	196
10	BURR, NAUDEAN B	485 NILES CORTLAND RD NE WARREN OH 44484	06/26/1935	292-34-2986	1963	90
11	SPRAGUE, JEFF	1260 FLAGG RD E ORWELL OH 44076	03/21/1963	295-72-8887	872	1924
12	LEE, KIM R	492 ORIOLE PL SW WARREN OH 44485	02/26/1956	278-56-9261	10441	2376
13	SEEKINS, WILLIAM W	421 HOGARTH AVE NILES OH 44446	02/04/1931	297-26-2661	4878	2641
14	MENZ, HARRY P	2524 FOREST SPRINGS DR SE WARREN OH 44484	09/01/1943	292-38-6291	7737	202
15	MIDDLETON, DEBRA R	5809 DOWNS RD NW WARREN OH 44481	02/16/1959	000-00-0000	861	2189
16	GILMORE, JUDITH R	3033 POTHOUR WHEELER RD HUBBARD OH 44425	06/16/1951	292-50-9572	5542	940
17	CUTTINGS JR, JIM	4193 NELSON MOSIER RD LEAVITTSBURG OH 44430	09/20/1959	282-62-6338	12432	2259
18	ANGELO, CYNTHIA M	2982 CARLTON DR NW WARREN OH 44485	04/19/1955	204-38-7254	10581	2097
19	TERRILL, CLARK	7679 STATE ROUTE 5 APT 3 KINSMAN OH 44428	04/13/1975		9470	62
20	MCCURDY JR, WILLIAM F	609 PRATT ST NILES OH 44446	04/07/1946	183-34-7903	8089	408
21	PERLINE, MICHAEL J	467 HELEN DR HUBBARD OH 44425	12/07/1921	292-11-7500	711	794
22	LEPOSA, MATTHEW	167 STEWART AVE NW WARREN OH 44483	09/22/1977	270-88-9277	13526	1050
23	HAYES, KELLY A	12 WYN DR BROOKFIELD OH 44403	08/14/1963	236-04-2760	3827	144

EXHIBIT

54

SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
24	BUTCHER, GUY B	1174 BAILEY ANDERSON RD LEAVITTSBURG OH 44430	05/13/1942	233-62-2594	5295	235
25	RICHARDSON, DAMIAN	547 PHILLIPS DR SW WARREN OH 44485	08/01/1977		5467	1751
26	KEEN, DAVID J	200 PEGOTTY CT NE WARREN OH 44484	10/06/1982	275-88-7869	9639	2369
27	GOLLAN, LORI C	3781 WARREN SHARON RD VIENNA OH 44473	02/22/1961	282-72-3415	10155	16
28	MILLER, BONNIE Q	1253 GRANDVIEW AVE NILES OH 44446	01/16/1947	198-38-2522	10373	1780
29	JETHROE, JAMES A	2805 HEATHER LANE NW WARREN OH 44485	06/01/1942	425-90-3283	12277	373
30	FALATIC, BETTY M	1398 HAZELWOOD AVE SE WARREN OH 44484	05/27/1934	274-30-8108	3875	1235
31	MILES, RAYMOND L	8935 ALTURA DR NE WARREN OH 44484	06/04/1945	292-40-1234	11892	1517
32	BRACKEN, JENNIFER R	76 LAKEVIEW RD NILES OH 44446	09/09/1981	193-62-0839	1281	2128
33	KACZMARK, JACK M	400 IDAHO ST GIRARD OH 44420	08/26/1927		2643	125
34	HEDRICK, RENE M	984 GLENWOOD ST NE WARREN OH 44483	03/01/1958	300-64-7176	1140	314
35	DESANTIS, ANGELA M	529 REBECCA AVE HUBBARD OH 44425	06/28/1961	294-56-9042	12428	1443
36	LUTHER, MICHELLE D	111 LIBERTY ST E GIRARD OH 44420	08/27/1964	293-62-5780	7174	2475
37	SANFREY, CONNIE L	1525 EDGEWOOD ST NE WARREN OH 44483	06/20/1963		6148	492
38	SCHARBA, RICHARD D	6761 CHAGRIN FALLS GREENVILLE RD KINSMAN OH 44428	03/06/1953	165-46-9995	12356	2301
39	DICKERSON, JERRY L	132 BROOK DR BROOKFIELD OH 44403	05/26/1942	191-34-7662	5539	541
40	BARTLOMAIN, JOSEPH V	606 KLINE ST E GIRARD OH 44420	09/05/1934	283-28-2206	3865	2367
41	STEIN, CARL E	391 SCOVILLE DR VIENNA OH 44473	12/02/1940	274-36-9095	10615	2670
42	LATRONICA, DIANE L	701 SUMMIT AVE APT 76 NILES OH 44446	09/26/1949	279-48-2068	2465	2027
43	BAYTOS, REBECCA A	3526 KIMBERLY DR NE WARREN OH 44483	09/04/1960	289-58-5910	6424	399
44	GORE, COURTNEY	1233 NORTH PARK LANE BROOKFIELD OH 44403	08/28/1981	300-86-9701	3752	435
45	EGBERT, JASON	344 REBECCA AVE HUBBARD OH 44425	02/15/1966	291-60-1270	4479	1567
46	POSPISIL, LINDA S	4991 BUSHNELL CAMPBELL RD KINSMAN OH 44428	02/26/1960	296-66-3057	8300	951

SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
47	LOYCHIK, R E	615 DEBRA PLACE #4 CORTLAND OH 44410	02/12/1966	287-78-2017	10049	490
48	KUBIAK, ROBERT A	689 SHADOWOOD LN SE WARREN OH 44484	09/28/1947	121-36-2532	10082	1339
49	CRANK, MARSHA	102 ANDREA BLVD NILES OH 44446	08/26/1945		6649	1234
50	HALL, BRIAN	615 PHILLIPS DR SW WARREN OH 44485	04/30/1965		10361	1330
51	ZDUNIAK, FLORENCE	1255 NILES CORTLAND RD NE WARREN OH 44484	08/24/1948	284-44-2196	9495	1015
52	DAVIS, ROSE I	44 PLEASANT AVE N NILES OH 44446	11/09/1922	298-16-6209	1054	1622
53	MILLER, JOSEPH L	1146 BRACEVILLE ROBINSON RD NW APT B SOUTHLINGTON OH 44470	05/11/1967	299-82-3995	11524	1283
54	HELMUTH, ERVIN E	9153 CREASER RD N BLOOMFIELD OH 44450	04/07/1946	292-40-1011	11677	1792
55	KIDWELL, KENNY K	9720 KINSMAN PYMATUNING RD KINSMAN OH 44428	03/13/1953	277-54-0250	79	2595
56	SWANSON, CAROL J	1518 SPRUCE CT NILES OH 44446	09/06/1940	293-34-9660	6640	577
57	MENOLD, MARLENE R	1614 JUDITH LN GIRARD OH 44420	01/19/1937	270-32-6287	6015	524
58	SMITH, LUCILLE M	450 QUARRY LN NE WARREN OH 44483	02/28/1923	515-22-5391	10484	385
59	LANHAM, GILBERT J	654 NORTH RD SE WARREN OH 44484	04/29/1941	290-36-4295	4918	1906
60	SANDERS, JAMES E	329 OAK KNOLL ST NEWTON FALLS OH 44444	06/18/1921	275-14-8623	10738	1265
61	SOLLITTO, CAROL F	3548 KIMBERLY DR NE WARREN OH 44483	10/19/1939	290-34-6355	1453	277
62	TORRES-REEP, PAULA L	2981 STATE ROUTE 5 LEAVITTSBURG OH 44430	12/23/1965	272-72-6633	9853	64
63	TAKAT-MURPHY, SHERRIE L	6145 STODDARD HAYES RD FARMDALE OH 44417	10/05/1963	278-70-6707	7502	1385
64	VISLOSKY, ELAINE P	225 TERRE HILL DR CORTLAND OH 44410	06/13/1938	219-34-7111	13972	2222
65	ROGERS, HAROLD	471 HIGH ST S CORTLAND OH 44410	06/12/1942		11640	223
66	DAVIS, CAROL N	3481 NILES CORTLAND RD LOT 24 CORTLAND OH 44410	12/24/1944	273-38-4720	13296	2264
67	DELBENE, SANDRA L	1125 WOODLAWN AVE GIRARD OH 44420	02/20/1952	159-44-4450	8824	1673
68	MCCULLOUGH, MARILYN M	304 FONDERLAC DR SE WARREN OH 44484	05/01/1949	273-44-6389	6758	1913

Date: 09/26/2004
Time: 09:52:13
JURR8045

10/08/2002 TO 11/21/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
69	PADEN, MARGARET E	2568 CHESTNUT ST GIRARD OH 44420	05/03/1963	287-72-8988	8963	2058
70	TIGERT, CAROL A	94 ROYAL MALL DR NILES OH 44446	07/10/1958	272-64-5242	10166	2282
71	SHEPHERD, GREGORY	518 LIBERTY ST W #337 HUBBARD OH 44425	01/11/1984	000-00-0000	13500	545
72	ARNAUT, CAROL A	503 WENDEMERE DR HUBBARD OH 44425	02/25/1946	279-46-3689	7846	2599
73	CHEHOVITS, K D	8531 BLACK OAK DR WARREN OH 44484	11/21/1958	300-64-3380	10535	2582
74	MELIDONA, GRACE J	1608 MORRIS PL NILES OH 44446	04/12/1946	275-44-6318	9905	968
75	WAGGONER, DAWN	2230 BARCLAY MESSERLY RD SOUTHTON OH 44470	07/18/1979	284-88-0439	1911	1671
76	GLOSSER, RALPH W	164 TURQUOISE DR CORTLAND OH 44410	09/19/1935	293-30-2775	2073	2726
77	DRAGHI, SUSAN D	301 VENTURA DR YOUNGSTOWN OH 44505	12/31/1952	271-54-5328	938	14
78	SAMMARONE, CHRISTOPHER	94 ORIOLE DR YOUNGSTOWN OH 44505	05/14/1972	273-82-1449	11996	381
79	SCHOONOVER, DANNY	55 LEAVITT RD S LEAVITTSBURG OH 44430	09/10/1955	282-56-6883	2749	2046
80	JOLTIN, SHELLEY	4738 MICHIGAN BLVD YOUNGSTOWN OH 44505	12/21/1949	174-40-3324	8746	288
81	GABRIELE, PATRICK E	5412 BRADLEY BROWNLEE RD FOWLER OH 44418	09/09/1929	280-24-6109	11846	1582
82	SEIFER, MARY E	3065 LYNWOOD DR NW WARREN OH 44485	02/04/1945	268-44-5315	6145	1098
83	ZAP, LINDA J	261 SECOND ST E GIRARD OH 44420	07/20/1948	278-48-1703	1194	2115
84	RIDGEWAY, PENELOPE	9544 CREASER RD N BLOOMFIELD OH 44450	09/10/1950	289-52-3242	11239	414
85	MENDENHALL, CHARLES F	6517 PARK RD NW LEAVITTSBURG OH 44430	01/30/1970	276-84-8209	7673	2078
86	STOIAN, ELISABETH	2065 CLERMONT AVE NE WARREN OH 44483	10/11/1929	302-48-0196	10423	2118
87	MCCALE, TAMMIE	2360 MCDONALD OHLTOWN RD MCDONALD OH 44437	09/28/1958	302-64-9791	4294	2326
88	WINTERS, RODERICK N	2326 ESTABROOK AVE NW WARREN OH 44485	10/07/1963		9036	2312
89	WILKERSON, RICHARD	3000 NORTH RIVER RD NE UNIT F20 WARREN OH 44483	03/28/1952		1361	750
90	MILLER, JUDITH D	526 LIBERTY ST E HUBBARD OH 44425	10/19/1946		13003	1226
91	GLESS, JEREMY A	877 YOUNGSTOWN KINGSVILLE RD NE VIENNA OH 44473	08/23/1984	282-82-1429	10936	83

Date: 03/07/2013
Time: 09:52:13
JURR8045

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
92	HAUN, RAY G	7591 FRANCIS ST MASURY OH 44438	01/07/1937	181-30-4820	10163	1143
93	MOWATT-LARSEN, COURTNEY	8911 STONE RIDGE DR SE WARREN OH 44484	06/21/1974	182-68-7396	6404	2106
94	SHIVELY, LARRY B	32 BENTLEY AVE N NILES OH 44446	02/23/1945	288-40-6873	5227	382
95	BOYE, PAULINE R	1056 HOWLAND SPRINGS BLVD SE WARREN OH 44484	01/13/1934	373-28-4789	12997	1206
96	MENTEN, MARY A	607 KENILWORTH AVE NE WARREN OH 44483	10/22/1953	174-42-1781	4165	306
97	BEIL, LINDA L	4773 WARREN SHARON RD VIENNA OH 44473	03/19/1961	276-70-1906	6270	565
98	MOORE, JOHN D	5641 RIDGE RD CORTLAND OH 44410	09/27/1940	287-36-5901	9500	290
99	TODA, KAREN M	407 TURNBERRY CT NE WARREN OH 44484	11/27/1949	279-48-1686	5398	146
100	STRINGER, AUDREY	2513 LINDA DR NW WARREN OH 44485	07/22/1954	278-56-8053	3056	1510
101	PITTS, HILDA G	1192 MOORELENE DR GIRARD OH 44420	02/04/1924	260-20-0449	13100	527
102	GAYDOS, DEBRA	195 HAZELWOOD AVE SE WARREN OH 44483	09/28/1957	283-64-9568	11013	272
103	ISOM, MONICA	677 THIRD ST SW WARREN OH 44483	01/04/1967	131-56-1053	10468	985
104	RANKIN, GRACE E	2131 MILLER GRABER RD NEWTON FALLS OH 44444	09/20/1916	000-00-0000	10355	2068
105	HENRY, ORRIN E	2276 HYDE SHAFFER RD BRISTOLVILLE OH 44402	12/31/1946	276-40-5600	2785	939
106	CROYTS, JENNIFER D	204 WHEELLOCK DR NE WARREN OH 44484	09/02/1975	302-80-4288	2829	302
107	THURBER, MARILYN M	6161 BEACH SMITH RD KINSMAN OH 44428	09/03/1925		4452	809
108	TOTO-BINION, CARMELA D	2360 SALT SPRINGS RD WARREN OH 44481	05/04/1923	301-20-1641	7059	1654
109	ROOK, RAYMOND R	226 EMMA ST NILES OH 44446	02/19/1954	279-48-1918	5202	1427
110	OPRITZA, MARY	155 HENN HYDE RD NE WARREN OH 44484	01/05/1924	298-16-5880	5634	18
111	RAFFERTY, BRIAN	2574 ELM DR GIRARD OH 44420	09/01/1977		8640	2743
112	DAVIS, BRIAN A	10041 STATE ROUTE 46 N BLOOMFIELD OH 44450	04/04/1969	301-64-4515	4335	1167
113	STEWART, WILBUR E	2780 WARREN MEADVILLE RD CORTLAND OH 44410	06/19/1947	292-40-1491	9777	40
114	COX, JACQUELINE K	3003 REPUBLIC AVE SE WARREN OH 44484	12/10/1947	162-38-5785	6047	803

Date: 03/20/2007
Time: 09:52:14
JURR8045

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
115	KAPPAS, DEAN D	5508 PHILLIPS RICE RD CORTLAND OH 44410	09/12/1951		12530	1848
116	SANCHEZ, LILLIAN	2920 OAKLAND AVE YOUNGSTOWN OH 44505	08/17/1954	584-42-9747	5165	1607
117	OSIPCHAK, RICHARD D	7703 PEGOTTY DR NE WARREN OH 44484	10/05/1944	276-40-7454	1837	2086
118	BURAN, JOSEPH J	774 HOLLYWOOD ST NE WARREN OH 44483	01/14/1955	278-56-7751	8699	2083
119	SMITH, ALFREDA W	1315 HOLLYWOOD ST NE WARREN OH 44483	11/03/1910	283-62-0420	3544	2594
120	MILLER, E G	3329 SODOM HUTCHINGS RD FOWLER OH 44418	12/19/1974	295-66-2794	10642	201
121	REESE, TRISHA A	3873 FOREST RIDGE CT MINERAL RIDGE OH 44440	10/29/1967	297-78-7089	4890	2180
122	PALKO, HELEN	379 SEABURN ST BROOKFIELD OH 44403	01/08/1930	204-22-7283	2644	333
123	LYKINS SR, DONALD R	619 SUGAR PINES DR SW WARREN OH 44481	03/06/1938	290-32-1428	9159	1795
124	SIMKINS, RICHARD L	1070 PATRICIA DR APT 6 GIRARD OH 44420	03/09/1947	298-46-5499	12042	2465
125	GRAY II, MICHAEL D	273 ATLANTIC ST NE WARREN OH 44483	11/21/1976		7086	1993
126	GARLITZ, BEVERLY A	3936 CADWALLADER SONK RD CORTLAND OH 44410	02/29/1936	284-32-3010	6904	188
127	AMORGIANOS, GEORGE N	369 MACKEY DR VIENNA OH 44473	12/30/1980	276-80-3169	5947	1189
128	AIRHART, CHRISTINE	316 ILLINOIS AVE MCDONALD OH 44437	11/30/1978		5293	1771
129	HITCHINGS, THOMAS R	192 CAMROSE DR NILES OH 44446	06/12/1954	278-56-8780	4956	453
130	DEJOY, KATHY A	7192 LEE RD NE BROOKFIELD OH 44403	03/31/1951	279-48-1817	8476	1534
131	SIMMONS, JENNIFER A	6233 OAK HILL DR W FARMINGTON OH 44491	09/24/1968	294-68-2222	7969	1202
132	FLASK JR, JAMES H	4331 STATE ROUTE 87 FARMDALE OH 44417	09/27/1942	300-38-7088	7318	1927
133	BISSELL, BARBARA J	626 WYOMING AVE NILES OH 44446	11/26/1938	286-34-9866	10848	141
134	DRUMMOND, SALLY A	3643 WOODBINE AVE HUBBARD OH 44425	05/29/1946	268-44-0690	13114	2290
135	RUBINS, EDWARD E	4095 KING GRAVES RD VIENNA OH 44473	10/29/1926	302-20-8850	13388	2623
136	PAPPA JR, FREDERICK J	6847 STEWART SHARON RD BROOKFIELD OH 44403	12/21/1951	275-50-0033	550	2485
137	HOFFMAN, NANCY H	520 HIGH ST NEWTON FALLS OH 44444	01/08/1952	294-50-6063	11064	2200

Date: 03/20/2008
Time: 09:52:14
JURR8045

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
138	NICULA, CYNTHIA L	5077 WILSON SHARPSVILLE RD FOWLER OH 44418	11/30/1956		7040	2031
139	BAIN, KATHLEEN A	536 OAK CIR SW WARREN OH 44485	07/08/1957	295-62-7141	7119	1743
140	NATALE, DENNIS G	111 MAPLE DR CORTLAND OH 44410	03/20/1951	302-48-0333	503	1240
141	MARLOWE, JAMES A	714 KALE ADAMS RD LEAVITTSBURG OH 44430	12/22/1916	296-05-5946	1781	875
142	WALLACE, JOHN W	P O BOX 392 CORTLAND OH 44410 3836 MCCLEARY JACOBY RD CORTLAND OH 44410	01/14/1937	208-26-0072	8613	1169
143	CROWE, KARRIE L	638 PROSPECT NW WARREN OH 44483	10/01/1969	292-64-6713	2893	2229
144	LAMB, MARY F	634 INDIANA AVE NILES OH 44446	01/21/1948	293-46-4944	13010	2055
145	SHOENBERGER, RANDEE S	871 BENTZ RD LEAVITTSBURG OH 44430	02/02/1951	278-52-9310	7958	1279
146	ROSTAN, RICHARD E	2236 SIXTH ST MCDONALD OH 44437	02/10/1954	302-54-9235	11350	1948
147	MADERITZ, BYRON	1233 KEEFER ROAD GIRARD OH 44420	11/22/1953	301-54-5939	13487	1214
148	STEWART, TANGA C	7203 CORINTH COURT RD FARMDALE OH 44417	05/23/1956	269-60-7610	929	1417
149	BEADLING, HOWARD J	480 CATHERINE ST YOUNGSTOWN OH 44505	08/13/1911	282-10-1493	8274	653
150	LEW, ANGELA	778 GREENVILLE RD NW BRISTOLVILLE OH 44402	01/27/1979		4270	169
151	OBRIEN, RITA A	536 KLINE ST E GIRARD OH 44420	02/10/1936	281-32-0930	1162	1956
152	HOLLAND, CHRISTINE	1748 MORRIS ST MINERAL RIDGE OH 44440	10/24/1966	293-62-5609	7562	2271
153	OBLINGER, DENNIS R	169 WEST RIVER RD PB355 NEWTON FALLS OH 44444	06/01/1955	302-56-9682	9727	1717
154	SEREDAY, DOROTHY	7762 ADDISON RD MASURY OH 44438	08/22/1925	204-14-8308	13431	597
155	DINARD, MARY A	428 SEVENTH ST E MCDONALD OH 44437	10/09/1915		8281	2054
156	SIMEONE, KARI J	860 YOUNGSTOWN KINGSVILLE RD SE VIENNA OH 44473	09/03/1968	286-64-9179	10348	379
157	JACKSON, JOHN W	6495 WASHINGTON AVE HUBBARD OH 44425	01/26/1938	291-32-2240	11668	786
158	EUCKER, BONNIE D	6579 STATE ROUTE 305 FOWLER OH 44418	12/11/1948	280-50-5212	8713	972
159	DANDREA, MICHAEL A	1330 GYPSY LN NILES OH 44446	10/17/1962	281-44-6858	7589	9

Date: 09/26/2002
Time: 09:52:15
JURR8045

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
160	THIRY, MARCEL S	3455 OAKMONT DR HUBBARD OH 44425	02/25/1959		3458	151
161	KNIGHT, CYNTHIA L	230 WARREN AVE NILES OH 44446	01/26/1959		2082	738
162	RIEDMANN, CONNIE	1740 IRENE AVE NE WARREN OH 44483	01/03/1964	274-70-7011	1613	454
163	WILLIAMS, NANCY A	201 HIDDEN TRAIL NW WARREN OH 44483	03/13/1949	293-46-0764	6377	376
164	HARRIS, JENNIFER J	713 NORTH AVE GIRARD OH 44420	03/12/1978	269-76-3656	7652	274
165	SCHULTZ, RHEANNE	100 RUTH AVE CORTLAND OH 44410	05/20/1983	280-80-8465	12120	1408
166	PERSKY, ARNETTA K	2035 CRESTWOOD BLVD YOUNGSTOWN OH 44505	11/23/1946	465-88-8502	9665	2176
167	KRONER, MAE	1392 WARNER RD NE BROOKFIELD OH 44403	09/22/1931	215-32-3624	11329	1070
168	YOUNG, TABATHA J	1543 NILES CORTLAND RD NILES OH 44446	06/14/1981		12548	2656
169	EBINGER, AMY S	103 ATLANTIC AVE, APT 2R BROOKLYN NY 11201	04/28/1973	289-76-8774	3714	5
170	GASKILL, SUSAN M	529 MASON ST NILES OH 44446	08/13/1959		6777	101
171	SPIEGEL, LEONARD B	455 ARBOR CIR YOUNGSTOWN OH 44505	05/26/1929	067-22-6284	5193	1069
172	MARINO, MARY K	1263 THOMAS RD HUBBARD OH 44425	02/01/1953	160-46-3324	2623	726
173	BOWSER, HEATHER J	9782 STATE ROUTE 7 KINSMAN OH 44428	02/17/1970	278-84-9309	7161	1726
174	RUSCITTI, ANGELO M	703 LAKEVIEW DR CORTLAND OH 44410	12/25/1956	273-64-8451	7653	1289
175	ECKENROD, MARION	2415 YOUNGSTOWN RD SE WARREN OH 44484	10/13/1921	000-00-0000	2910	1439
176	DIXON, WALTER R	3686 HOMEWOOD AVE HUBBARD OH 44425	12/09/1968	297-68-2876	7320	1434
177	JONES, JOSH J	735 BROOKFIELD AVE MASURY OH 44438	02/11/1941	163-32-3465	236	1768
178	DUEZ, TRACY A	637 RAYMOND DR HUBBARD OH 44425	09/20/1964	197-60-2788	13752	929
179	HURTON, AMY	116 GREENBRIAR DR CORTLAND OH 44410	06/22/1976	293-70-3709	12240	1958
180	BAILEY, LAUREN	501 MELODY LN HUBBARD OH 44425	02/14/1981	268-86-8222	3618	2175
181	DIGLAW, JAMES M	7718 PEGOTTY DR NE WARREN OH 44484	05/26/1957	272-52-2859	7785	2608
182	SWEGAN, MEGAN L	733 POTIC DR LEAVITTSBURG OH 44430	10/14/1974	296-78-6980	6833	232

Date: 09/20/2005
Time: 09:52:15
JURR8045

1003 2005 TO 1003 2005
PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
183	THOMPSON, DONNA	1536 MORRIS ST MINERAL RIDGE OH 44440	01/18/1984	000-00-000	10394	2447
184	WEST, TIM	6859 SHAFFER RD NW WARREN OH 44481	10/29/1959		6228	1527
185	BATSON, SCOTT B	915 JOHN ST NILES OH 44446	03/29/1969		2682	672
186	FRIEDMAN, ANNA MAE	5080 SAMPSON DR YOUNGSTOWN OH 44505	10/15/1922	291-14-4519	225	1465
187	BROWN, DANIEL L	402 HYDE AVE NILES OH 44446	12/07/1983		11381	147
188	PALM, DONALD L	3011 MALIBU DR SW WARREN OH 44481	04/12/1947	292-40-2455	1582	1321
189	HARDIN, WILLIAM C	148 DRUMMOND AVE HUBBARD OH 44425	10/05/1923	280-20-0626	9565	1353
190	MURRAY, JEFFRY L	876 KENILWORTH AVE SE WARREN OH 44484	02/11/1963	302-52-1219	1824	1219
191	SZEGEDI, LENA N	328 OHIO AVE MCDONALD OH 44437	11/24/1959	276-46-0040	532	787
192	ELBEL, GERALD R	2585 LEWIS SEIFERT RD HUBBARD OH 44425	04/27/1942	280-38-7525	3624	2193
193	LEASURE, KAREN S	623 DAKOTA AVE NILES OH 44446	11/12/1969	284-64-8380	5709	2640
194	MCCULLOUGH, JOHN A	2045 BEATTY RD HUBBARD OH 44425	12/07/1929	210-20-9470	512	2179
195	MCKINNISS, JENNIFER R	2934 CARRIE AVE SOUTHTON OH 44470	05/09/1958		9956	2563
196	ALTAFFER, MARGARET J	724 NEW YORK AVE MCDONALD OH 44437	06/02/1935	281-32-2434	5643	1496
197	TURK, SANDRA L	338 PARK AVE MCDONALD OH 44437	07/19/1953	278-56-8883	2728	1193
198	WALLS, DENISE L	3183 WILDWOOD DRIVE MCDONALD OH 44437	08/15/1958	280-62-0679	69	1211
199	MILLER, NICHOLAS J	5683 HOFFMAN NORTON RD BRISTOLVILLE OH 44402	04/26/1962		12872	2386
200	FOTY JR, ANTHONY	123 PROSPECT ST E GIRARD OH 44420	05/13/1936	300-30-7206	1786	2342
201	ROOD JR, RONALD F	1196 BRACEVILLE ROBINSON RD NW SOUTHTON OH 44470	05/28/1976	291-76-7420	6286	2107
202	CRUMP, MARY	2420 HUBBARD MASURY RD HUBBARD OH 44425	02/16/1937	290-32-2798	13324	966
203	HYATT, FRANK T	2381 GRIFFITH DR CORTLAND OH 44410	05/20/1962	286-46-6671	3910	1918
204	SALCONE, EILEEN J	750 ROSELAWN AVE NE WARREN OH 44483	01/16/1930	272-28-8877	11967	21
205	DZEDA, EDWARD R	1624 SQUAW CT GIRARD OH 44420	04/10/1917	284-05-8769	4629	73

Date: 09/26/2002
Time: 09:52:15
JURR8045

10/08/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
206	BUBON, KIMBERLY L	3629 SOUTHWOOD DR SE WARREN OH 44484	07/09/1960	284-70-7890	12072	2198
207	BELLINO, NICHOLAS D	557 MURRAY HILL DR YOUNGSTOWN OH 44505	05/18/1982	000-00-0000	2229	2041
208	LOEW, JANET	1438 TOMILU DR GIRARD OH 44420	01/21/1950	279-48-1852	11481	1653
209	RUPERT, LAURELIN	4863 KINGSHILL DR, APT 322 COLUMBUS OH 43229	04/08/1979	272-92-1853	2400	207
210	CLONCH, RONALD A	5060 WOODLAWN AVE NEWTON FALLS OH 44444	10/16/1965	462-51-2948	2939	2164
211	FAMOR, PATRICIA A	1530 SUNNY ESTATES DR NILES OH 44446	12/16/1946	276-40-7424	1996	2239
212	GALATI, JUDITH L	45 NORTH OURTER DR VIENNA OH 44473	11/23/1952	302-48-0836	1813	1026
213	RAVIZEE, JOHN H	344 MARYLAND ST NW WARREN OH 44483	12/28/1941	281-44-7260	11413	55
214	HETTRICK, NANCY J	105 LIBERTY ST W APT 104 HUBBARD OH 44425	11/28/1936	290-32-3363	10268	582
215	RICHARDS, FRED C	1760 DODGE DR NW WARREN OH 44485	11/03/1927	302-12-8558	12364	165
216	THIRION JR, THAD H	2976 FOREST AVE NILES OH 44446	11/18/1944	281-38-8107	8973	2029
217	KRUK, LILLIAN A	1078 GREENVILLE RD NW BRISTOLVILLE OH 44402	08/05/1918	000-00-0000	30	676
218	POKRIVNAK, CARLA C	1216 GEORGE ST MASURY OH 44438	01/17/1974	268-88-6944	8167	1896
219	ENGLISH, LAURA A	3753 EAGLE CREEK RD LEAVITTSBURG OH 44430	05/26/1963	283-74-7911	1808	1335
220	CULVER JR, LARRY	3382 WARREN RAVENNA RD NEWTON FALLS OH 44444	03/28/1979	272-76-1219	3600	2515
221	SWAUGER, TERRY A	1480 BUTTERFIELD CIR NILES OH 44446	04/14/1969	278-76-9268	4690	1953
222	TALKINGTON JR, BILLY C	2831 HOAGLAND BLACKSTUB RD CORTLAND OH 44410	08/25/1931	296-24-3416	2398	2718
223	MILLER, GREGORY A	1868 TAFT AVE NILES OH 44446	08/28/1960	295-66-2419	12795	1507
224	HOOK, MELBA L	1219 BEDFORD RD MASURY OH 44438	08/29/1942	297-38-7324	12374	739
225	WAGNER, BRADLEY E	2007 BURNING TREE LN YOUNGSTOWN OH 44505	09/28/1983	300-80-5621	11716	630
226	HARRISON, RAYMOND D	293 OLD OAK DR CORTLAND OH 44410	04/15/1940	293-34-8978	12392	1730
227	FRANCIS, JOYCE E	8098 LIBERTY ST E HUBBARD OH 44425	08/21/1948	298-46-7091	12507	1798
228	PUSIN, KATHRYN D	1454 MARLANE DR GIRARD OH 44420	05/09/1939	290-34-5799	6655	367

Date: 09/26/2002
Time: 09:52:16
JURR8045

10/08/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
229	COOK, MARION M	3379 MAIN ST MINERAL RIDGE OH 44440	05/22/1927	000-00-0000	261	2126
230	KOTANCHEK, ALAN L	7490 JEWELL NORTH RD KINSMAN OH 44428	04/19/1974	284-86-7422	2354	508
231	DAVIES, WAYNE D	434 JOHNSON PLANK RD NE WARREN OH 44481	09/23/1949	288-48-9179	6084	1678
232	MILLS, NICOLE E	304 BROADWAY ST W GIRARD OH 44420	06/13/1981	269-80-7219	201	1003
233	SFERRA, SUSAN R	3409 EAGLES LOFT UNIT A CORTLAND OH 44410	11/08/1954	378-50-4714	12088	2323
234	RODRIGUEZ-DIRANDO, GEORGEANN	1774 DUMONT DR MINERAL RIDGE OH 44440	07/05/1975	292-78-2612	1881	1820
235	HOSTETLER, EDWIN L	1350 FLAGG RD E ORWELL OH 44076	07/01/1980		4590	1116
236	DULKA, THERESA A	2089 MAHAN DENMAN RD NW BRISTOLVILLE OH 44402	10/07/1961	289-58-5324	2453	1847
237	WYSENSKI, JUDY D	1840 FOX NORTH RD N HUBBARD OH 44425	07/27/1959	276-66-4598	10429	444
238	BRUNETTE, MATTHEW G	7862 SUTTON PLACE DR NE WARREN OH 44484	08/31/1980		6737	1858
239	WILMOTH, RONALD L	125 EMERT RD LEAVITTSBURG OH 44430	04/14/1951		12803	1919
240	MORRISON, ROBERT H	1676 HUBBARD MASURY RD MASURY OH 44438	05/22/1967	000-00-0000	8838	1183
241	PELLEGRENE, DENNIS G	102 HAZEL ST GIRARD OH 44420	02/03/1945	271-40-7016	383	1590
242	PERRONE, ANTHONY C	1363 KEARNEY ST NILES OH 44446	01/13/1972	273-78-1479	12937	975
243	ATWAY, SALWA	2760 BELMAR DR YOUNGSTOWN OH 44505	02/01/1960	300-66-5810	6136	2145
244	BRODA, CURTIS P	P O BOX 27 FOWLER OH 44418	02/28/1953	270-50-9600	9032	2255
245	ANDRELLA, THOMAS M	5969 EAGLE CREEK RD LEAVITTSBURG OH 44430	10/31/1941	294-36-8875	8321	2022
246	MCBRIDE, JOHN F	8 TUTTLE LN GIRARD OH 44420	03/15/1952		6576	2756
247	GORDON, MICHELE L	5267 MILLER SOUTH RD BRISTOLVILLE OH 44402	08/18/1968	272-82-3172	5352	2742
248	DAUGHERTY, JANET D	663 MELWOOD DR NE WARREN OH 44483	02/07/1926	279-24-3659	2936	2039
249	EATON, CARL E	375 ORCHARD LN CORTLAND OH 44410	12/01/1952	273-52-0333	7365	2638
250	HAINES, AMY M	117 MAIN ST E GIRARD OH 44420	10/10/1981	279-78-5453	3159	160

Date: 09/26/2002
Time: 09:52:16
JURR8045

10/08/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
251	KLINGER, ELMER R	P O BOX 7 W FARMINGTON OH 44491	04/15/1929	271-28-6046	13525	1767
252	MARTIN, REX A	457 IOWA AVE GIRARD OH 44420	05/28/1953	277-56-4664	4392	860
253	SMITH, KIM D	2737 ANDERSON MORRIS RD NILES OH 44446	12/16/1956	576-72-3093	4237	932
254	MCDONALD, JUDITH A	526 VENTURA DR YOUNGSTOWN OH 44505	01/27/1947	289-44-9631	5163	1535
(255)	RICCI, LUCY	245 YORK AVE NW WARREN OH 44485	07/25/1932	291-28-4021	6003	1444
(256)	MCQUEEN, SHARHONDA C	3030 NORTHGATE DR YOUNGSTOWN OH 44505	12/15/1977	000-00-0000	4269	2605
257	MASON JR, DAVID H	2549 ELM ROAD CORTLAND OH 44410	01/12/1967	297-68-1197	562	833
258	MARTINO, MICHAEL A	1304 SURREY POINTE DR SE WARREN OH 44484	09/19/1939	271-32-4786	4369	539
(259)	DAVANZO, PAUL P	962 WOODLAWN AVE GIRARD OH 44420	05/16/1956	284-42-5659	10115	1325
(260)	MERCER, ROBERT P	299 AIRPORT RD NW WARREN OH 44481	04/20/1980	279-76-1092	1470	2509
261	MCMONAGLE, LESLIE	3641 LIBERTY AVE HUBBARD OH 44425	11/25/1956		3805	2539
262	NORTH JR, WILLIAM W	3514 CARDINAL DR SW WARREN OH 44481	06/14/1963	278-66-7052	1260	2364
263	WHITE, CHARLES E	1000 COLONIAL DR YOUNGSTOWN OH 44505	09/27/1955	400-86-2205	10399	2305
(264)	SABLE, ALICE M	223 FAIRMOUNT AVE NE WARREN OH 44483	04/08/1916	298-46-6696	12912	1636
265	MARSH, RAMONA L	4920 SOUTH ST LEAVITTSBURG OH 44430	12/30/1970	297-84-0379	624	1421
(266)	SCHRECKENGOST, CATHERINE A	315 TIBBETTS WICK RD GIRARD OH 44420	12/30/1957	274-64-3225	5060	1106
(267)	FRAZIER, CHARLES A	1823 NORTH RD NE WARREN OH 44483	12/10/1915	298-10-6798	401	1055
268	WELLS, REGINALD	185 CAMROSE DR NILES OH 44446	10/08/1957	302-56-3771	1319	585
(269)	GIANCOLA, SHERRY S	3599 CREED AVE HUBBARD OH 44425	07/19/1956	269-60-8632	2539	1966
(270)	GUMINO JR, ANTHONY J	5136 STATE ROUTE 5 NEWTON FALLS OH 44444	03/19/1978	381-98-4381	1658	1299
271	POWELL JR, GEORGE W	353 STAHL AVE CORTLAND OH 44410	09/02/1957		6167	1194
(272)	OCONNELL, JOHN F	968 KREHL AVE GIRARD OH 44420	06/21/1950	275-50-2063	7418	177

Date: 09/26/2002
Time: 09:52:17
JURR8045

10/08/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
273	RUMBLE, JEANNE M	3420 FIFTH AVE YOUNGSTOWN OH 44505	10/08/1949	283-42-6872	11682	2740
274	BUTERBAUCH, BENJAMIN B	1068 PARK DR S BROOKFIELD OH 44403	07/06/1977		1747	984
275	BURNHAM, ROBERT M	34 JAMES LANE GIRARD OH 44420	03/19/1970	312-76-6415	1763	394
276	FUNGI, ALICE B	39 SUMMIT AVE N GIRARD OH 44420	10/01/1932	000-00-0000	6251	78
277	SENEADAK, KATHRYN P	3861 NORTHLAWN DR YOUNGSTOWN OH 44505	09/08/1938		7811	1333
278	HEFNER, ROBERT D	160 WILLARD AVE SE WARREN OH 44483	05/10/1926	273-20-1415	3719	1245
279	PARNABY, GERALD	168 THIRD ST N W FARMINGTON OH 44491	05/27/1941	277-38-5276	4175	1420
280	CASSIDY, MARY F	3572 LIBERTY AVE HUBBARD OH 44425	05/27/1941	278-36-7589	4176	1001
281	SALEM, EMIR	4857 HOFFMAN NORTON RD BRISTOLVILLE OH 44402	09/27/1974	552-65-0309	3582	1947
282	DESIMONE, RALPH F	1855 MEADOWLARK LN NILES OH 44446	12/29/1949		3721	1230
283	KUZMICK, PATRICIA	4839 FISHER CORINTH RD FARMDALE OH 44417	01/12/1953		5045	727
284	SLATER, TERISA	625 ARLINGTON RD NEWTON FALLS OH 44444	07/10/1962	296-78-4652	5007	1150
285	PRINCE, JAMIE L	451 CLIFTON DR NE WARREN OH 44484	08/24/1972	292-68-6134	8729	992
286	STEVENS, ANNIE R	8493 MAIN ST KINSMAN OH 44428	09/08/1963		10184	2472
287	MARADO, JEAN L	8052 CASTLE ROCK DR NE WARREN OH 44484	07/19/1961		2670	226
288	BAUMAN, DEBRA L	P O BOX 276 CORTLAND OH 44410 7311 STATE ROUTE 46 CORTLAND OH 44410	08/25/1957	294-50-5793	10241	2457
289	WAGNER, ROSALIE	100 OLD PALISADES RD, APT 2115 FORT LEE NJ 07024	10/12/1978	289-88-4127	1842	467
290	TRICKER, MELINDA O	1159 MONCREST DR NW WARREN OH 44485	07/20/1964	281-46-5032	5362	755
291	BODNAR, JUDY	1255 THOMAS RD HUBBARD OH 44425	12/10/1938	163-32-3507	3076	1365
292	FRITZ, RUTH A	46 LAKEVIEW RD NILES OH 44446	02/25/1947	276-46-1562	7845	1596
293	ABERNATHY, CAROL J	202 SAYERS AVE NILES OH 44446	05/08/1934	274-30-8153	4423	36
294	HUBER, THOMAS M	1900 FOX NORTH RD N HUBBARD OH 44425	09/23/1951	272-52-3340	6829	1164

Date: 09/26/2002
Time: 09:52:17
JURR8045

10/08/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
(295)	DAILEY ROBERT J	1836 SHERIDAN AVE NE WARREN OH 44483	02/08/1934	279-28-9350	2546	1228
(296)	PHILLIPS, ROBERT S	7826 STATE ROUTE 193 FARMDALE OH 44417	06/08/1942	292-38-6729	8098	813
297	JONES, DENNIS E	670 RAVENNA RD NEWTON FALLS OH 44444	10/03/1949	279-48-0112	2791	1701
(298)	SMITH, ROSE MARIE M	1689 SUNNY ESTATES DR NILES OH 44446	08/08/1940	286-46-7021	9978	2458
299	MORETON, TAMMY	132 WESTGATE DRIVE NEWTON FALLS OH 44444	08/05/1977	300-86-0356	1157	510
300	WISE, CAROL	3982 SODOM HUTCHINGS RD CORTLAND OH 44410	07/12/1960		2324	2381
301	MILKON, ANTHONY	163 STATE RD W WARREN OH 44483	10/02/1942	293-34-7817	6221	2503
302	VALERIO, DONNITA J	3370 FRANKLIN AVE HUBBARD OH 44425	02/06/1959	269-60-8995	9983	709
(303)	DAYLIDA, RAYMOND	1800 GRACEWOODS DR APT 22 NILES OH 44446	07/26/1912	000-00-0000	6318	396
(304)	EMERY, EUGENE R	203 GOLF DR CORTLAND OH 44410	04/13/1938	290-32-1541	2183	1813
(305)	CRENSHAW JR, FRANK	241 FEDERAL ST NE WARREN OH 44483	02/16/1929	282-22-8840	13009	2505
(306)	CULLISON, TONY R	1058 PERKINS JONES RD - APT B-3 WARREN OH 44483	11/06/1976	293-60-4824	5004	1045
307	CARAWAY, DOROTHY A	1678 LARCHMONT AVE NE WARREN OH 44483	05/23/1965	300-76-2404	11169	2349
308	SHAFFER, GLENN A	270 CENTENNIAL DR VIENNA OH 44473	10/20/1965	294-50-5071	1051	2483
(309)	GALLO-SCHADL, NATALIE	350 NEBRASKA AVE MCDONALD OH 44437	05/05/1972	276-88-3395	5572	1438
310	WILDMAN, BONNIE L	1730 MAPLEWOOD ST NE WARREN OH 44483	09/26/1951	273-52-0149	12631	439
311	MOCELLA-MERTEN, MICHELE	830 BELVEDERE AVE NE WARREN OH 44483	09/07/1965	273-78-1303	7678	100
312	BRYAN, SCOTT J	986 RIVERVIEW DR LEAVITTSBURG OH 44430	04/07/1968	000-00-0000	1873	2541
(313)	HUMENIK SR, JACK D	322 YOUNGSTOWN KINGSVILLE RD SE VIENNA OH 44473	12/28/1964	302-48-0065	8659	258
(314)	HAJNES, MILO F	4686 PHILLIPS RICE RD CORTLAND OH 44410	06/16/1931	279-28-9225	4250	334
315	HOMICK, THOMAS E	6947 MCCLURE RD HUBBARD OH 44425	09/01/1954	269-62-5746	2487	977
316	SCHRECENGOST, JACK L	4009 NORTHWOOD DR SE WARREN OH 44484	05/24/1936	296-32-7135	7982	990
(317)	HEARN, ANITA L	372 DAVID LN NE BROOKFIELD OH 44403	05/15/1946	198-38-4177	8969	2564

Date: 09/20/2002
Time: 09:52:17
JURR8045

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
318	DATTILO, GARY A	338 JACKSON ST HUBBARD OH 44425	09/09/1946	293-44-2479	13434	1053
319	FAIVER, WANDA S	48 MANOR DR BROOKFIELD OH 44403	03/03/1933	000-00-0000	12812	2534
320	JURATOVIC, KATICA	6638 STEWART SHARON RD BROCKFIELD OH 44403	05/21/1952	294-56-7620	11294	456
321	BARNES, GARY W	115 LUTHER AVE #2 KENT OH 44240	08/01/1973	278-88-7253	10937	2308
322	COLBRUNN, ROY I	856 WARNER RD SE BROOKFIELD OH 44403	11/19/1926	284-22-9264	4577	120
323	MILLER, ROBERT E	9425 STATE ROUTE 45 ORWELL OH 44076	11/01/1960	286-78-1097	12839	1032
324	RAMSEY, ROMA L	5948 MAYBURN BARCLAY RD FARMDALE OH 44417	04/05/1969	291-74-4935	8744	384
325	HIGBY, DIVA C	926 WASHINGTON AVE GIRARD OH 44420	07/21/1922	280-20-2659	11422	2159
326	BOONE, SANDRA J	29 RANDOLPH AVE S GIRARD OH 44420	09/09/1949	298-48-1338	9454	1745
327	MCCREADY, TERESA R	631 STATE RD W WARREN OH 44483	12/28/1979	288-76-9685	3201	1079
328	KOLLAR, REBECCA S	3889 MEANDER DR MINERAL RIDGE OH 44440	05/25/1948	291-46-1735	4012	895
329	PRENTICE, KAREN J	1873 ORIEL RODGERS RD GIRARD OH 44420	09/16/1943	286-38-2996	12699	547
330	FOULK, CAROL H	849 MEADOWBROOK AVE SE WARREN OH 44484	10/21/1933		9080	75
331	THIRY, JUSTIN	3455 OAKMONT DR HUBBARD OH 44425	08/18/1979	297-74-3877	13117	1868
332	RUMAN, SYLVIA J	1850 PLEASANT VALLEY RD GIRARD OH 44420	02/01/1938	159-30-1243	9368	1526
333	JOHNSON, PATRICIA A	4065 MCCLURE EAST RD NEWTON FALLS OH 44444	01/29/1961	296-68-8635	250	2250
334	SMITH, JOYCE L	3389 IVY HILL CIR UNIT D CORTLAND OH 44410	02/20/1947	281-44-7095	1797	1486
335	LAPROCINA, MELANIE C	1523 MAIN ST N NILES OH 44446	05/24/1983	275-84-3127	2984	1297
336	TUTOKI, AUDREY J	860 KENILWORTH AVE SE WARREN OH 44484	04/08/1931	300-26-6149	11965	1081
337	LOMBARDI, DUILIA	707 TRUMBULL AVE SE WARREN OH 44484	11/24/1935	278-34-7162	6947	81
338	CASEY, ALICE M	212 REBECCA AVE HUBBARD OH 44425	01/19/1921	284-14-8449	4805	1728
339	BEESON, JOSEPH W	5990 MT EVERETT RD HUBBARD OH 44425	03/26/1969	301-80-4291	10803	276
340	BIANCO, BERNARD T	1200 PENNSYLVANIA AVE MCDONALD OH 44437	11/12/1957	300-64-5893	5730	876

Date: 09/26/2002
Time: 09:52:18
JURR8045

10/06/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
341	WEISS, HARRY M	1442 BURNETT ST MINERAL RIDGE OH 44440	08/29/1953	277-54-1023	1108	2231
342	CASTOR, DOMINIC J	397 MACKEY DR VIENNA OH 44473	06/03/1950	289-52-7942	12782	1888
343	NORI, MICHAEL J	1695 ROOSEVELT AVE NILES OH 44446	07/10/1967	276-68-6764	5551	1969
344	WADE, SHIRLEY A	5601 RIDGE RD CORTLAND OH 44410	04/16/1960	302-52-1346	3648	1591
345	BUTLER, ROCHELLE L	3882 CRESTVIEW SE WARREN OH 44484	10/08/1976	286-78-6743	4592	1267
346	BUCKNER, ANDREW	1753 DUMONT DR MINERAL RIDGE OH 44440	09/04/1983	286-88-2304	10135	336
347	SPELICH, MONICA S	2520 CHESTNUT ST GIRARD OH 44420	06/22/1962	299-60-8466	13066	1648
348	ALLEN, JAY R	4600 LAKE RD N W FARMINGTON OH 44491	01/01/1900	277-38-2496	6988	1920
349	PAPIERNIK, MARLIA	175 HILLVIEW DR HUBBARD OH 44425	11/28/1964		12246	1588
350	DENYS, THEODORE A	151 YOUNGSTOWN HUBBARD RD APT 31 HUBBARD OH 44425	05/25/1926	284-22-8876	945	263
351	CLAYMAN, DEBORAH L	468 ARBOR CIR YOUNGSTOWN OH 44505	08/11/1960	284-68-3993	5799	1146
352	MEYERS, RODNEY J	1991 WICK CAMPBELL RD HUBBARD OH 44425	07/11/1967	274-74-7363	3125	1008
353	LYNDES, KEITH J	2909 HALLOCK YOUNG RD SW WARREN OH 44481	10/25/1955	296-46-8789	5140	2717
354	PENNER, BENITA M	3506 SOMERSET DR APT B YOUNGSTOWN OH 44505	08/10/1940	268-42-3243	5409	2601
355	NIEMI, TIMOTHY A	2287 WILSON SHARPSVILLE RD CORTLAND OH 44410	11/18/1966	000-00-0000	2521	2313
356	HENDERSON, KAREN L	232 ALBERT ST NEWTON FALLS OH 44444	08/01/1943	276-42-6819	10542	224
357	LEMMON, KENNETH L	317 PROSPECT ST NEWTON FALLS OH 44444	11/19/1925	294-18-2329	7330	20
358	GILKEY, RENEE M	637 GROVER AVE MASURY OH 44438	07/24/1954	195-46-0181	13711	1809
359	CAPIRANO, RALPH J	342 BROAD ST E NEWTON FALLS OH 44444	10/06/1942	206-32-7767	10734	1104
360	MARGO, LINDA S	516 WASHINGTON AVE NILES OH 44446	10/10/1956	272-64-3614	9481	1744
361	OHLIN, MARGARET M	404 OAK KNOLL AVE SE WARREN OH 44483	06/15/1936	286-34-9644	12058	920
362	WOGAN, THELMA J	4218 ALEESA DR SE WARREN OH 44484	08/30/1934		6647	1223
363	MCWHIRTER, JENNIFER	2268 CANAL ST S NEWTON FALLS OH 44444	01/17/1983	274-90-3665	10104	1570

Date: 09/26/2004
Time: 09:52:18
JURR8045

10/08/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
364	MEASE, RODGER L	715 KINSMAN ST NW WARREN OH 44483	02/17/1945	205-34-7052	13700	2684
365	PARIS, SUSAN A	5673 BREEZEWOOD LAKE DR BROOKFIELD OH 44403	10/19/1958	292-58-0411	8286	770
366	CICERO, RENEE L	1261 PLEASANT VALLEY DR NE WARREN OH 44483	09/27/1955	280-58-0472	1316	2087
367	POWERS, RICHARD A	4504 WILSON SHARPSVILLE RD CORTLAND OH 44410	07/27/1959	288-62-6316	11002	1666
368	BOATRIGHT, BONITA N	787 HOUSEL CRAFT RD CORTLAND OH 44410	01/14/1953	294-50-5709	117	2037
369	CRANK, SHAWN M	203 HELEN AVE NILES OH 44446	04/03/1969	286-78-7204	11032	1292
370	LOHR, GEORGE C	51 WILSON AVE E GIRARD OH 44420	08/14/1957	000-00-0000	8473	790
371	COLE JR, JAMES S	700 THE GREENS NE WARREN OH 44484	07/31/1948	281-44-7168	12429	1709
372	HENDERSON, LINDA	2771 BARCLAY MESSERLY RD SOUTHTON OH 44470	08/25/1943	174-34-3284	12752	2249
373	WARGO, RICHARD G	411 WASHINGTON AVE NILES OH 44446	02/06/1934		8291	1278
374	SHERIDAN, DEBRA L	5185 KING GRAVES RD VIENNA OH 44473	02/05/1952	278-52-8980	8210	2102
375	CHALKER, JAMES P	222 THRD ST N W FARMINGTON OH 44491	04/22/1946	298-46-7216	3084	1216
376	THOMPSON, TONI	509 ROBBINS AVE NILES OH 44446	01/18/1977	278-88-6890	1448	1313
377	DIGIACOBBE, EMIDIO A	1060 WILSON SHARPSVILLE RD CORTLAND OH 44410	02/09/1926	288-20-3905	5810	1649
378	GAVITT, VIOLET C	1544 SHERIDAN AVE NE WARREN OH 44483	04/21/1945	286-38-2044	4865	537
379	GIULIANO, JOSEPHINE T	117 ORCHARD AVE NILES OH 44446	05/05/1934	295-28-0299	12675	2437
380	A, MARY M	963 BROADACRES DR SE WARREN OH 44484	02/26/1946	288-48-9623	4362	2158
381	KUZMAN, KATHLEEN	463 LIBERTY ST E GIRARD OH 44420	12/07/1969	282-72-3903	3687	2412
382	BAKER, MARY D	2200 MILTON BLVD NEWTON FALLS OH 44444	05/31/1916	290-26-6950	4439	330
383	PHILLIPS, GARY R	1150 CARSON SALT SPRINGS RD #34 WARREN OH 44481	05/12/1981	000-00-0000	1795	1864
384	GARNER, SAMUEL E	3316 RED FOX RUN DR NW WARREN OH 44485	10/30/1979	509-96-1208	8038	2199
385	CLICK, CHERYL A	2264 CLEARVIEW AVE NW WARREN OH 44483	06/25/1949	288-44-8163	13411	2468
386	ROSS, HAYWARD L	5430 HERNER COUNTY LINE RD SOUTHTON OH 44470	03/30/1938	232-60-4250	10934	241

Date: 09/26/2002
Time: 09:52:19
JUR8045

10/09/2002 TO 11/22/2002

PETIT COURT
SORT: NUMERIC

Service: C10-8

Service No.	Name	Address	DOB	SSN	Annual No.	Term No.
387	ZEREFOS, KIMBERLY D	5579 US ROUTE 422 SOUTHLINGTON OH 44470	07/25/1965	272-76-6676	8768	22
388	MCCAFFERTY, CONSTANCE A	2861 DURST COLEBROOK RD CORTLAND OH 44410	04/11/1943	301-38-8476	9261	1062
389	KERIOTIS, THEODORE M	1997 ROBERT'S LN NE WARREN OH 44483	10/02/1931	000-00-0000	12817	1316
390	MALITO, CONNIE S	366 MOCCASIN TRL GIRARD OH 44420	08/08/1941	298-36-5470	2523	668
391	GARWOOD, JULIE M	993 PATRICIA DRIVE #2 GIRARD OH 44420	09/27/1972	279-78-1081	7181	1054
392	DIAZ-GONZALEZ, RAFAEL J	707 BELVEDERE AVE SE WARREN OH 44484	02/11/1983	000-00-0000	13456	203
393	BOARDLEY, THOMAS C	636 OHIO AVE NW WARREN OH 44485	10/03/1943	181-34-0056	481	1760
394	HANICK, TIMOTHY	969 LANDSDOWNE AVE NW WARREN OH 44485	04/26/1958	273-66-4410	7935	1099
395	EUBANK, BARBIE J	1732 FRONT ST SW WARREN OH 44485	12/18/1977		13976	1060
396	NELSON, JOHN	6590 STATE ROUTE 87 KINSMAN OH 44428	04/05/1952	000-00-0000	9736	447
397	CAMPBELL, TIMOTHY L	279 SUNSET DR CORTLAND OH 44410	11/13/1953	271-46-6723	1922	1038
398	RATCLIFF, JOYCE P	383 ORCHARD LN CORTLAND OH 44410	09/07/1940	233-62-4904	3101	1351
399	FURILLO, RICHARD J	P O BOX 293 BROOKFIELD OH 44403	10/10/1939	209-30-6864	638	93
400	KRAUSE, STELLA L	2975 SEDGEWICK ST NE APT 196 WARREN OH 44483	12/10/1923	287-18-0331	9672	2173

Total Number of Jurors 400

*** End of Report ***

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO, :
Plaintiff, : Case No. 01-CR-794
-vs- :
NATHANIEL JACKSON, :
Defendant. :

EXHIBIT

AFFIDAVIT OF DENNIS DAY LAGER, ESQ.

State of Ohio :
County of Portage : ss:

Dennis Day Lager, after being duly sworn according to law, states as follows:

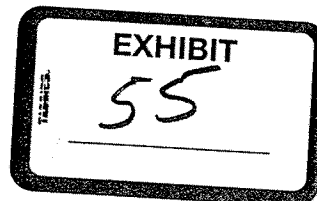
1. I am an attorney licensed to practice law in the State of Ohio.
 2. This Court appointed me to represent Nathaniel Jackson in his direct appeal to the Ohio Supreme Court.
 3. I attended in person the final day of co-defendant Donna Roberts' mitigation hearing.
 4. All of the individuals that sat on the jury in Ms. Roberts' case were Caucasian.
- Further affiant saith naught.


DENNIS DAY LAGER

Sworn to and subscribed in my presence this 5th day of January, 2004.

KATIE N. ARMSTRONG, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires July 4, 2006


NOTARY PUBLIC



S. J. Seiser

Student Number: 0016-77-20

The Public Schools
Youngstown, Ohio
Department of Pupil Personnel Services

PSYCHOLOGICAL REPORT
Confidential -- For Professional Use Only

NAME JACKSON, NATHANIEL DOB 2-12-72 TEST DATE 1-17-86
ADDRESS 314 Pearl Street SEX M REFERRED BY School
Charles/Pauline
PARENT(S) Kordeckay GRADE 7 SCHOOL Adams Jr. High
HOME PHONE 743-5365 C.A. 13-11 EXAMINER J. Seiser

REASON FOR REFERRAL Disruptive behavior. Low Achievement.

TEST RESULTS

INTELLIGENCE

Weschler Intelligence Scale for Children - Revised

Verbal I.Q. 72 Performance I.Q. 72 Full Scale I.Q. 73

Bender-Gestalt Test 1 Errors

ACHIEVEMENT

	Grade Placement	Standard Score	Discrepancy Score
<u>Reading</u>			
Woodcock-Johnson Letter-word Ident.	6.4	88	-1.0
Woodcock-Johnson Passage Compre.	4.6	75	-.12
<u>Math</u>			
Woodcock-Johnson Calculation	4.3	63	+.67
Woodcock-Johnson Applied Problems (reasoning)	5.2	75	-.12

12-19-85 Vision Screening - Failed - Referred for further testing.
Hearing Screening - Passed

Scales of Independent Behavior

	Age Score	Standard Score
Math Skills	12-3	92
Social & Communication Skills	6-5	55
Personal Living Skills	9-3	63
Community Living Skills	9-3	
Broad Independence	9-0	

EXHIBIT

56

CHAMISEL
High

BACKGROUND INFORMATION

Nate is the second of four children in his family of 3 boys and 1 girl. Both parents reside in the home. According to his mother, his birth history and early development were normal and there has never been any eating or sleeping problems. His health is generally good and there are no known allergies. According to Mrs. Jackson, Nate gets along all right at home. The only problem she noted is stubbornness.

School records show that Nate made fair progress in primary grades in school. Both behavior problems and poor work habits were cited in early reports. He failed four subjects in sixth grade and repeated that year. In his second year of sixth grade he was absent 48-1/2 days; tardy 15 days. Approximately 40 days of those absences were due to disruptions in class and refusal to obey rules. Stanford Achievement test scores on 5/84 indicated both reading and math scores were in the first stanine. Nate is presently in seventh grade and receives remedial services in both reading and math. Behavior has continued to be a problem with frequent reports of constant disruption and disrespect of authority. He is presently failing all subjects and was referred for a multifactored evaluation.

Observations

Nate was first seen in the assistant principal's office where he was sent after about an hour's search to locate him in school. He is rather small for his age; was somewhat unkempt, and sat slouched in his chair. He was somewhat resistant to coming into the testing session and walked up the stairs at a snail's pace. He spoke very freely with a great deal of prejudice and hostility towards whites and made many tough, verbal threats. At first, he refused to complete some of the testing and called it "baby stuff" he didn't have to do. Eye contact was very poor throughout and he sometimes roamed about the room in a very casual manner. As the session progressed, he loosened up a bit and worked efficiently at tasks he enjoyed. As he became more cheerful, he spoke freely of celebrating his upcoming birthday and bragged about the drinking and drugs he was to enjoy. He was pleased with himself on a few occasions when he felt he had good success. Eventually all requested tasks, including the "baby ones" he'd originally refused to do, were completed. While those behaviors may have depressed the scores somewhat, the scores are probably in the appropriate ranges.

Test Results

Ability. Nate's scholastic ability, measured on the WISC-R, is in the Borderline (Slow Learner range). Overall, his Verbal and Performance I.Q.'s were similar. Relative strengths for him were his auditory, short term memory, attention to visual details, and ability to do oral arithmetic problems. His vocabulary, ability to formulate verbal concepts, and visual-perceptual organizational skills are below average. Some of those

ANANIEL
High

scores may be depressed by a lack of cultural opportunities or by his impulsive responses.

Achievement. Nate's reading and math skills are fairly consistent with his measured ability. He demonstrated ability to decode words promptly. He made accent errors in more difficult words which it is suspected he would have correctly identified in context. His reading comprehension score was weaker and it appeared that he was losing interest. In the math calculation, he completed complex addition; subtraction with borrowing; some multiplication and division. He did one, double-division; division problem by doing repeated addition. He did not attempt more difficult division or fraction work. He was successful in solving word problems involving money. He had no difficulty in restating the word problem and seemed to know what was expected. A few careless errors depressed his math problem solving score.

A teacher checklist on his communicative status indicates that Nate's skills are below average. Further testing may be completed by the speech clinician.

Visual-Motor. Nate copied the nine Bender designs without error. The work was fairly well organized on the page. While some of the designs were weak in angulation, visual-motor maturity is adequate for his age.

Social-Emotional. The Scales of Independent Behavior, a measure of adaptive skills, was completed by Mrs. Pavlone, one of Nate's teachers. His gross and fine motor skills are appropriately developed for his age. Independent functioning is subaverage in the areas of social/emotional, personal living, and community living. Specific difficulties include negative peer interaction (hits, fights, name calling, accepts no criticism), inappropriate use of language (vulgarity), cleanliness in personal care, lack of personal responsibility for being in proper place a proper time, and poor work skills (little attention to tasks). Nate also demonstrates disregard for personal property.

The Hahnemann High School Behavior Rating Scale (HHSB), a classroom behavior rating scale, reflects many of these problems. Significant behavior factors on that measure which hamper educational progress include poor interaction, weak reasoning ability, poor work habits, expressed inability, and restless, disturbing behavior. Nate is on task occasionally but not for very long.

In the projectives administered (House-Tree-Person, Incomplete Sentences), Nate made no bones about the fact that he is aggressive, hates whites (except for one boy) and intends to hurt them or anyone else who tries to get "through him". There was no evidence of positive feelings towards anyone, including his teachers and parents. ("Ain't nothin' to me"). He projected the idea that he is afraid of nothing, including consequences of his own misbehavior and he admits he feels no guilt about

NATHANIEL
High

it. Nate wants to project a tough guy image and works hard at not letting down his guard. He did admit, but quickly retracted the statement that he is afraid of getting hurt.

He was openly hostile and antagonistic at the beginning of the testing session. While he did let down a bit, he never did relax in the session. It is possible that he views others as a threat and wants everyone to know he's not to be tampered with.

Summary and Recommendations

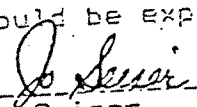
Nate's cognitive, academic, and social development scores are all at subaverage levels. As indicated, his behaviors in the testing may have depressed some of the scores somewhat but the ranges are probably appropriate. A major concern is the constant, open expression of hostility, both verbal and physical, towards others. It appears that this is often done without provocation and without a sense of guilt. Nate expressed deep prejudiced feelings and seems to believe it is right to act in aggressive ways. Several teachers have documented persistent, aggressive behavior in his classes which interferes with work production. Nate failed sixth grade classes for two years and is presently failing all classes in seventh grade. Without some intervention, it is conceivable that he will continue to fail and, also, could cause personal injury to others, including student and teachers. A team conference should be held, as soon as possible, to review all data and determine appropriate interventions.

1. Nate needs to develop an appropriate set of standards and values to develop a conscience about his actions and to understand the consequences of behavior.

2. He needs to develop tolerance for those he perceives to be unworthy and to learn acceptable behaviors towards them. His prejudices seem to permeate his thoughts and behaviors. Disruptive behaviors must be remediated.

3. Positive interactive skills with peers and respect for authority need to be learned.

4. The possibility of substance abuse should be explored.


Jo Seiser
School Psychologist

EXHIBIT

57

The Public Schools
Youngstown, Ohio
Department of Pupil Personnel Services

PSYCHOLOGICAL REPORT
Confidential -- For Professional Use Only

Name: Nathaniel Jackson	DOB: 2-13-72	Report Date: 2-23-89
Address: 309 S. Pearl St.	Sex: M	Referred By: S. Gregory
Parent(s): Pauline Korneagay	Grade: 10	School: Stambaugh
Home Phone: none listed	C.A.: 17-0	Examiner: J. Ciarrochi

REASON FOR REFERRAL

Mandatory three-year reevaluation to determine if Nathaniel continues to qualify for special education services.

SENSORY EVALUATION

Testing by school nurse D. Halloran on 1-18-89, reveals that hearing is within normal limits. Nathaniel failed visual acuity screening. He passed the eye muscle balance test. No vision referral was made because Nathaniel was in the process of getting glasses at the time of the screening.

BACKGROUND INFORMATION

Nathaniel said that he lives with his mother, 18-year-old brother Charles, 13-year-old sister Tasha, and ten-year-old brother Patrick. His brother Charles will be graduating from the transitional school this year.

Nathaniel was placed in the Severe Behavior Handicapped (SBH) program during his seventh grade year (2-18-86). Referring behaviors included disrespect toward authority figures, leaving the classroom without permission, disrupting the class, threatening others, and passive-aggressive behavior.

Nathaniel was placed at Stambaugh Transitional with teacher Sara Revetti for the remainder of his seventh grade year. He remained at Stambaugh for grade eight. Because of good behavioral progress, he was placed in a less restrictive setting, the SBH satellite unit at Rayen High School the following year. During this school year (1988-89), Nathaniel was transferred back to Stambaugh because of threatening, aggressive behavior. One day he burned his and another student's worksheets, lay across a table in the classroom, and refused to go to timeout. When the teacher approached him, he swung at her.

Confidential Psychological Report - M. Jackson

Page 2

Nathaniel's progress in the SEH program has been inconsistent, which may be due to periodic poor attendance. Current teacher, Sulette Gregory, said that his behavior is average for her class and that his academic progress is above average. Nathaniel is on the fifth grade level in math and on the eighth grade level in spelling and reading. He failed all subjects the second grade period because of poor attendance, but earned A's, B's and C's for the first grade period. Nathaniel is on Level IV of the five-step behavioral management system. His current problem behaviors are frequent talking out, including drug talk; trying to sleep in class instead of working; and resisting direction. In general, Nathaniel gets along adequately with peers and the teacher. However, he often teases others.

While Nathaniel was at Rayen, he had a vocational evaluation. The evaluation report stated that he had a low level of involvement and excessive absenteeism. He did interact adequately with co-workers and was receptive to supervision. Marginal consideration for a program was recommended.

CLASSROOM OBSERVATION

Nathaniel was observed for 20 minutes in Home Economics class on 1-16-89. Time-sampling at four second intervals and anecdotal observation were used. The three other boys in the class served as the rotating comparison peer. The activity observed was cleanup after cooking.

Nathaniel was on-task for more of the sampled intervals than was the rotating comparison peer (68% compared to 32%). His off-task behavior differed from that of the other boys in frequency, not in type. When Nathaniel was not on-task, he was walking around the room or talking with others.

TEST BEHAVIOR

During individual assessment, Nathaniel was sullen, but followed directions and put forth adequate to good effort. He was guarded and suspicious when asked to draw a picture of his family.

TEST RESULTS AND INTERPRETATION

OVERALL ABILITY

Stanford-Binet Intelligence Scale - Form L-M

Chronological Age:	17-0
Mental Age:	11-6
Intelligence Quotient (IQ)	70

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO, :
 :
Plaintiff, : Case No. 01-CR-794
 :
-vs- :
 :
NATHANIEL JACKSON, :
 :
Defendant. :

EXHIBIT _____

AFFIDAVIT OF JESSICA LOVE

STATE OF OHIO :
 : ss:
COUNTY OF FRANKLIN :

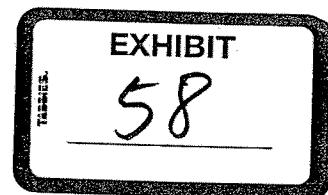
Jessica Love after being duly sworn according to law, states as follows:

1. I am investigator employed by the Office of the Ohio Public Defender. I have been employed by the Office since June 1997. I have a Bachelor of Arts degree in Sociology and Criminal Justice from Ohio University. I have attended national and state conferences on the death penalty, including mitigation investigation training.

2. In my capacity as an investigator, I have been assigned primarily to conduct sentencing investigations in capital cases. I have conducted sentencing phase investigations in approximately 30 capital cases. These cases have been both at the trial and post conviction levels.

3. A necessary component of capital case preparation at the trial level is the mitigation phase investigation. A mitigation investigation consists of collecting available records on the defendant and his family as well as interviewing the defendant and their family to obtain relevant information regarding the defendant and their family. This information is used to develop a psychosocial history and understanding of the defendant to enable the defense team to prepare and present a quality mitigation phase presentation.

4. My goal as an investigator is to conduct as many interviews as necessary to identify the relevant life experiences of the defendant and develop a psychosocial history of the defendant and their family. These experiences include, but are not limited to prenatal injuries; problems which are heredity in nature; physical psychological and sexual abuse; learning and psychological disorders; substance abuse; lack of adequate resources including monetary and



food; inadequate parents; educational performance; mental health contacts and interaction with the criminal justice system.

5. I identify these relevant experiences by interviewing the defendant as well as significant others through out the defendant's life. I start with the defendant plus his immediate family, parents, siblings, grandparents, cousins, aunts, and uncles. I then attempt to interview friends of the defendant and his family including teachers, coaches, doctors and probation/parole officers.

6. To verify the information, I collect as many records as possible. This includes medical, school, prison, legal, employment and mental health records.

7. This investigation can be a very time consuming process. It can take the record holders some time to locate the older records. Family members may need to be interviewed several times to develop their trust to uncover sensitive family issues. For instance family members may be resistant to reveal information concerning sexual or physical abuse. Also, I must spend time with the defendant to develop a rapport which facilitates the defendant's willingness to reveal sensitive information, typically presented in the mitigation phase.

8. As part of my duties with the Office of the Ohio Public Defender I was assigned to the case of Nathaniel Jackson ("Nate"). After conducting an initial interview with Nathaniel, I interviewed Pauline Korneagay (his biological mother); Raymond Dickerson (stepfather); Tausha Korneagay (sister); Anthony Korneagay (brother) and Kevin Perry (Nate's friend and Tausha's fiancée).

9. Nate was born to Pauline Korneagay and Charles Paige who died recently. Nate had two brothers (Anthony Korneagay and Charles Jackson) and one sister (Tausha Korneagay)

10. Nate's mother is a binge drinker. When her daughter was about to deliver her child, Nate's mother showed up drunk at the hospital. Nate's mother previously shot someone.

11. Nate and his siblings grew up in a rough neighborhood. They often heard gunshots. It was tough to go out and play.

12. Nate did not have a good relationship with his mother. She never showed any love for him. She gave all her love to her son Tony. She never wanted to have anything to do with her other children. This hurt Nate and his sister. However, neither Nate nor his sister have ever blamed their mother. They act as if nothing was wrong. In actuality only Nate's sister has been there to support him through out his life.

13. As a result Nate moved in with his grandmother, who lived in the house next to his mother. Tausha, when she was in elementary school, also moved in with his grandmother.

14. Nate experienced problems in school. He often failed to attend school and when he did he talked back to the teachers. He pushed a teacher down the steps. He was eventually

sent to Stambaugh Middle School because of his inappropriate behavior. He dropped out in the eleventh grade.

15. When Nate was, approximately fifteen years of age, Pauline, his mother, began to live with Raymond Dickerson. The two individuals, though not married, still reside together. Raymond is a severe alcoholic who disappears for long periods of time. He is unable to maintain steady employment.

16. Because Raymond appeared so late in Nate's life, his stepfather never served as a role model for Nate. When Raymond gave Nate advice, Nate ignored it. As a result Raymond quit trying to advise Nate.

17. Nate began to socialize with drug dealers and users. This had a negative impact upon him. For instance he used to be close to Shawn and Mike Rushton. Both individuals are now in jail. Other individuals that Nate chose as friends are now either in jail or dead. Nate carried drugs for the dealers.

18. Eventually when Nate became addicted to crack, Nate ceased to live with his grandmother and began to live on the streets.

19. When Nate would get high he would not become mean. Nate was afraid of his brother who had beaten him up. Nate never carried a gun. He was afraid of guns. Nate always wanted people to think that he was a tough guy, but he never really was. Nate used to tell people he was a "crip" and his brother was a "blood". This was just Nate bragging.

20. Nate committed property crimes to support his crack habit. His crimes did not involve violence, other than to Nate. He had to go to a doctor because someone broke his jaw after he tried to break into that person's house. Another time someone broke Nate's ribs. Another person shot Nate after he stole some personal property. Nate stole from so many people that they used to walk up to his brother, Anthony and tell him that they were going to kill Nate. Nate's family had at times to leave their house because there were so many threats from people from whom Nate had stolen.

21. Nate's theft offenses were not limited to strangers. Family members would not let him stay with them because he would steal from them to support his habit. When he visited his mother, she at times would have to call the police. His mother had to put locks on her two deep freezers because Nate would steal meat from the house and sell it to get drugs. She also had to put locks on her bedroom door. Nate stole the license plate off his mother's car. His mother bought his grandmother a rose and Nate stole the rose. Nate was close to his children.

22. Nate has two children, by different women. He is close to his daughter. The mother of his daughter left him because he was a drug addict. He also has a son. The mother of his son is a drug addict. Nate's crack problem became so bad that he stole his son's clothes as well as the mother's car.

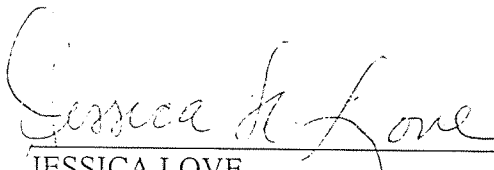
23. Tausha and her fiancée, Kevin Perry, tried to get Nate help for his drug problem. They got him admitted into the Bellmont Drug Treatment Center where he dropped out after two weeks.

24. Nate was never good at picking up women. He always seemed to pick the wrong ones. Approximately two years prior to the instant offense, Nate met Donna Roberts. She gave him clothes, drugs, money and anything else that he wanted. She let him drive her cars. Nate seemed really happy after he met Donna. He was impressed with her status. Nate's family members recognized that Donna took advantage of Nate. However Nate refused to listen to them. Nate enjoyed the lifestyle and he saw no reason to change.

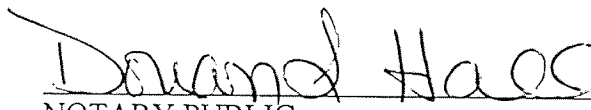
25. Nate's mother, Pauline and Raymond were together at a local bar when they learned of Nate's arrest for the murder of Mr. Fingerhut. While Nate had a lengthy criminal record by that time, none of his illegal acts involved violence. They expressed surprise and got drunk.

26. None of the family spoke to Nate's attorneys until the day they went to court to testify in the sentencing phase. They met as a group with the attorneys and were asked questions about the crime. They were not prepared for questions, when the attorneys eventually called them to testify.

Further affiant saith naught.


JESSICA LOVE

Sworn to and subscribed in my presence this 4 day of January, 2004.


NOTARY PUBLIC
notary public, state of ohio
my commission expires 7-7-08

IN THE COURT OF COMMON PLEAS
Trumbull COUNTY, OHIO

STATE OF OHIO, :
 :
Plaintiff-Respondent :
 :
-vs.- : Case No. 01-CR-794
 :
 : Judge Stuard
Nathaniel Jackson :
Defendant-Petitioner. :

EXHIBIT 14

AFFIDAVIT OF DORIAN L. HALL, M.A., L.S.W.

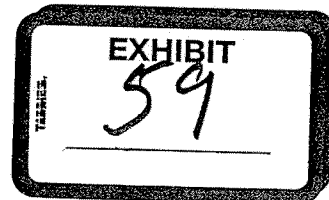
IN THE STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

I, Dorian L. Hall, M.A., L.S.W. being first duly sworn according to law, state the following:

1) I have a Bachelor of Arts degree in Sociology and Psychology from Miami University, a Master of Arts degree in Sociology from Ohio State University and am a licensed social worker in the State of Ohio. I have been employed as a mitigation specialist by the Office of the Ohio Public Defender since August 1988 and have served as the supervisor of the mitigation section since August 1994.

2) I have trained with national experts in death penalty mitigation, remained current with the literature, and have lectured at state conferences on the topic of mitigation.

3) I have been involved in the investigation and/or preparation of over one hundred and fifty death penalty cases at both the trial and appellate level (i.e. state



post-conviction and federal habeas corpus proceedings) in the states of Ohio and Indiana.

4) I have testified in federal court concerning the standards that exist with respect to the preparation of a mitigation investigation in a capital case.

5) An essential element of capital case preparation, at the trial level, is the mitigation or sentencing phase investigation. A mitigation investigation is conducted by obtaining any and all information available about the defendant and their family. This information is used to construct a psychosocial history and understanding of the defendant, which is the cornerstone of the mitigation preparation.

6) In preparing for a competent mitigation, the above-noted investigation necessitates development of a close relationship with the defendant so that he or she will be willing to reveal intimate information about his/her life and family's dynamics. It is rare that a defendant or family member will reveal intimate information in the initial interview. This can be very embarrassing information. Often individuals who are abused protect their abuses for a number of reasons. In addition, the clients, often are very guarded given all the negative events that have happened throughout their lives.

7) The defendant's report of his/her psychosocial history and experiences must then be corroborated through in-depth interviews with family members, friends and professionals with whom the defendant has had contact, as well as records generated throughout the defendant's life. Records that should be pursued include birth, medical, academic, employment, social service agency involvement, military, mental health and legal documents (including juvenile and adult criminal charges as well as incarceration records). This information allows for a sound explanation and insight into the

defendant's behavior as it documents his/her psychosocial and personality development over a lifetime.

8) It is important that information obtained about the defendant and his/her family reflects as much generational family history as possible so that significant family patterns may be assessed in relation to the defendant and his/her functioning. Likewise, it is also important to explore potential cultural, ethnic and religious aspects of the defendant and his/her life, which may greatly impact the psychosocial understanding of his/her behavior. Some additional areas to explore are mental retardation, mental illness, substance abuse, medical conditions and trauma.

9) In developing data, all information must be covered. The investigation must not be limited to simply "good" information about a defendant, but must address all aspects of a defendant's psychosocial development so that a thorough understanding of the defendant's behavior can be reached. Limiting information to only positive data about the defendant does not provide for a cohesive, integrated explanation of the defendant's behavior.

10) All of this information serves to explain the defendant's behavior in light of his/her psychosocial development and history. This investigation is a separate obligation from the investigation of issues regarding guilt or innocence as it often reveals different information than the investigation regarding guilt or innocence. A psychosocial investigation is a minimal standard that must be met for an effective mitigation presentation, whether at trial or at post conviction.

11) Once all of this data is collected, it must then be presented to a licensed psychologist who can provide further insight and assessment of the defendant's

behavior to the defense attorneys. This assists the attorneys in developing a cohesive and sound theory of mitigation that can then explain the defendant's behavior during his/her offense. The psychologist can further assist the attorneys in directing the mitigation investigation as well as developing a cohesive theory of mitigation.

12) The attorneys and mitigation investigators must assist the psychologist in identifying which, if any, tests that the psychologist should administer. The psychologist ~~should~~ ^{may want to do} not administer to the defendant the MMPI, HAIRE or any projective testing. Such tests do not explain the factors which affected the defendant's development. These tests, instead, often give a negative diagnosis of the defendant. For instance the results of the MMPI may demonstrate that the defendant is ant-social. This will give the prosecutor an argument which he can use to support the imposition of the death penalty. Instead the psychologist should take social history and identify the relevant factors which caused the defendant to develop the behavior qualities that he did. Often a person who develops ant-social qualities will have had a dysfunctional childhood which is marked by tremendous neglect and abuse. The psychologist should also conduct some preliminary testing to determine if the defendant suffers from brain impairment (brain damage). The proper instrument for that is the Trail Making test and not the Bender Gestalt

13) Since the United States Supreme Court declared that it is unconstitutional to execute the mentally retarded, the scope of the mitigation investigation has expanded. Mental retardation now serves as an absolute bar to the execution of the mentally retarded. The investigator must make sure that he obtains all prior intelligence testing of the defendant and evidence of impaired adaptive skills. The defense team

also must make additional decisions concerning the psychological appropriate testing. If the defendant has prior IQ scores within the range of mental retardation, the team should advise the psychologist in most cases that she should not administer any additional IQ testing to the defendant.

14) A cohesive, sound theory of mitigation must present a complete picture of the defendant over his/her lifetime so that the trier of fact can understand the defendant's behavior in light of his/her lifelong development. A presentation of mitigation information cannot be limited to simply humanizing a client. Although this is an important and necessary first step, information must also be presented that explains specific psychosocial strengths and weaknesses, which explain the defendant's behavior and level of personality integration.

15) In those cases in which there is involvement of more than one person in the offense(s), the mitigation investigator must collect as much information as possible concerning the other individual(s). The jury, if it is helpful to the defendant, must be informed concerning the interrelation of all of the accomplices. This would include the identification of the dominant participant who may stand to gain the most from the commission of the offenses. Often the more intelligent participant will conduct the planning and have the most to gain. A defendant of lesser intellect, may be the principal offender, but not be the most culpable. His participation may be aimed simply at pleasing another one of the other participants.

16) The tasks required for a mitigation investigation, as described above, are extensive and extremely time-consuming. Availability of records, ability to locate witnesses, interviews and resources can vary greatly. It is also a process that requires

patience and time to build a rapport with the defendant and his/her family, particularly those who are reluctant to cooperate. Building a trusting relationship with those interviewed is a crucial step in obtaining complete and reliable information and is not something that automatically happens; repeated contacts and endless patience are essential. A qualified mitigation expert should have –at a minimum- at least three months before the jury selection begins to conduct the investigation.

17) Given the amount and variety of work involved in capital defense, the best approach to handling a capital defense is through a team approach. In addition to the defense attorneys the “defense team” typically includes a psychologist, mitigation specialist, criminal investigator and other experts as needed. The benefits of a team approach include increased efficiency, expanded knowledge, reduced duplication and increased support.

18) In order for the team approach to be successful, effective communication among team members is essential. Ultimately, problems with team communication can adversely effect the defense’s presentation, which can lead to a death verdict. As team leaders the attorneys hold the primary responsibility to establish and participate in effective team communication.


19) To facilitate team communication ongoing team meetings, which include the attorneys, mitigation specialist, criminal investigator and often the psychologist and other experts, should be held throughout the pre-trial preparation. These meetings should begin early on in the defense preparation to establish the objectives of the team as well as the duties each team member will be expected to perform. Team meetings

allow each member to share their information with the group, exchange ideas and provide input.

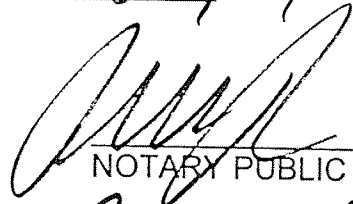
20) Once the psychosocial investigation and psychological assessment is complete, the defense team should meet to brainstorm and strategize about the mitigation theory. The planning and coordination of the mitigation strategy should occur well before voir dire. The defense attorneys should include other team members in the discussion of mitigation strategy since the expertise that both the psychologist and the mitigation specialist have is invaluable in the development of a mitigation strategy. The defense attorneys should utilize their experts and mitigation specialist as a resource in assisting to make strategy decisions.

21) The defense attorneys should coordinate witness preparation of mitigation witnesses with the mitigation specialist and utilize the mitigation specialist to assist in this witness preparation. Because of their expertise in mitigation, plus knowledge of the mitigation strategy and the potential witnesses, the mitigation specialist is in a unique position to assist in determining the mitigation witnesses as well as their testimony. The presence of the mitigation specialist during witness preparation can be beneficial to the attorneys by putting the lay witness at ease and in clarifying problem areas. Also, while the attorneys are involved in the presentation of the mitigation theory to the court, the mitigation specialist can assist the attorneys by acting as liaison with the witnesses and coordinating the final preparations of the presentation.

Further Affiant sayeth naught.


DORIAN L. HALL, M.A., L.S.W.

Sworn to and subscribed before me this 4th day of July, 2003.


NOTARY PUBLIC

Randall L. P. L.
Attorney-at-Law
Columbus, Ohio

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
DAYTON

LAWRENCE LANDRUM, :
Plaintiff, :
Vs. : Case No. C-196-641
BETTY MITCHELL, : Thursday, 9:00 a.m.
Defendant. : September 4, 2003

EVIDENTIARY HEARING BEFORE
JUDGE MICHAEL R. MERZ

APPEARANCES:

FOR THE PLAINTIFF:

Gerald W. Simmons, Esq.

Randall L. Porter, Esq.

FOR THE DEFENDANT:

Jonathan R. Fulkerson, Esq.

Michael L. Collyer, Esq.

COURT REPORTER:

Shandy Ehde, RPR

EXHIBIT

60

P R O C E E D I N G S

THURSDAY, SEPTEMBER 4, 2003

9:00 A.M.

THE COURT: Those of you who are in the courtroom for the initial appearance in United States versus Rodriguez Aguar matter, that matter is going to be held as soon as we can obtain an interpreter, which we do not yet have.

Given that, we're going to proceed with the other matter, Case No. C-196-641, Lawrence Landrum versus Betty Mitchell set for evidentiary hearing this morning.

Is the petitioner ready to proceed?

MR. SIMMONS: Yes, your Honor.

THE COURT: And is the respondent ready to proceed?

MR. COLLYER: Yes, your Honor.

THE COURT: Very well. Mr. Simmons, you may call your first witness.

MR. SIMMONS: Yes, your Honor. I'll call Jill Miller.

MR. COLLYER: We move for a separation of witnesses.

THE COURT: So ordered.

JILL MILLER

1 witness herein, being first duly sworn, testified as
2 follows:

3 DIRECT EXAMINATION

4 BY MR. SIMMONS:

5 Q. Miss Miller, would you please tell Judge Merz
6 your name and address?

7 A. Jill Miller, Madison, Wisconsin.

8 Q. And what is your profession, Miss Miller?

9 A. I'm a forensic social worker in private practice.

10 Q. Would you look at Exhibit 6, please, in the book
11 that's before you?

12 A. (Witness complied.)

13 Q. What is Exhibit 6, Miss Miller?

14 A. That's my resume.

15 Q. And who prepared it?

16 A. I did.

17 Q. Is it accurate?

18 A. It is. I made one addition, I think, since I
19 sent this to you, which is a training I did in May of
20 this year in Albuquerque.

21 Q. Is it complete?

22 A. Yes.

23 Q. Miss Miller, would you please tell the Court your
24 educational background?

25 A. Yes. I have a bachelor's and master's degrees in

1 social work, which I got from the University of
2 Wisconsin in Madison in 1967 and 1971. I did also do
3 some doctorate work there.

4 THE COURT: So a BSW and MSW?

5 THE WITNESS: It's a BA major.

6 Q. But no Ph.D?

7 A. No, that's pretty much a research teaching
8 degree.

9 Q. What did you do you in the way of -- I think you
10 said you did some work toward the Ph.D. What did you
11 do in that regard?

12 A. Three or four courses. I don't remember which
13 ones right now.

14 Q. All right. What is your work history, Miss
15 Miller? What have you done since getting your
16 degrees?

17 A. Okay. From 1967 to 1970, while I was a part-time
18 graduate school student, I did undergraduate social
19 work at the University of Wisconsin, Madison, where I
20 counseled students about their course requirements and
21 future plans and the sort of things that they needed
22 to do in getting their degree.

23 Following getting my master's degree, I
24 worked at the Legal Services Center of Dane County in
25 Madison from 1971 to '73, and at that time it was a

1 private nonprofit agency that had contracted to
2 provide representation in juvenile criminal matters,
3 and they also had a civil program. I worked primarily
4 in the juvenile defender program and then supervised
5 students in the other programs.

6 In 1973 I joined the faculty of the School of
7 Social Work at the University of Wisconsin, where I
8 remained until 1985, although from 1976 to '78 I was
9 also the associate director of the Youth Policy and
10 Law Center, which was a private nonprofit agency
11 involved in juvenile justice policy issues in
12 Wisconsin.

13 In January of 1984 I went into private
14 practice.

15 Q. Now what is the nature -- at that time, what was
16 the nature of your private practice? And can you tell
17 the Court, please, how, if it progressed, how it
18 progressed from that point to the present?

19 A. I actually had done some part-time private work
20 over the years before 1984 -- Oh, and I forgot a major
21 job actually that I had from 1979 to 1984. I was the
22 Client Services Director at the Office of the State
23 Public Defender. I was there under an arrangement
24 where the university can lend faculty people to state
25 government, and it was a newly created state public

1 defender so I set up and ran the social services of
2 that agency before going full time into private
3 practice. Over the years I have done some private
4 cases, juvenile.

5 Q. When you say you have done, I mean --

6 A. Okay.

7 Q. -- maybe we don't know what that means. What
8 does that mean, to say you've done cases?

9 A. I was retained by attorneys in matters like
10 juvenile cases. Juvenile -- For example, a juvenile
11 waiver, where they're trying to waive someone, I'd
12 come in and do a history and assessment, and look at
13 information relevant to the question of waiver.

14 I did adult sentencing on behalf of
15 defendants, doing, you know, histories and sentencing
16 recommendations. I worked on family matters, custody
17 disputes and divorces, mental commitments. We had a
18 provision in our law that the prosecutor was
19 responsible for determining whether there were less
20 restrictive alternatives to mental commitment, and
21 actually the District Attorney's office hired me to
22 look into those cases and determine what the treatment
23 needs were of people, whether they could be met in the
24 community.

25 I did some guardianship cases. Starting in

1 1984, I worked primarily on adult criminal sentencing
2 cases, juvenile cases, and a few family matters.

3 Q. Do you have any licenses of any kind?

4 A. Yes. I'm a licensed clinical social worker in
5 the State of Wisconsin.

6 Q. Now I think you were talking, and perhaps you
7 concluded in the late '70's or something. Go on from
8 that point and just give the Court a general idea of
9 the type of work you've done since that time.

10 A. Okay. Well, I had talked a little bit about the
11 beginning of my private practice, the type of cases.
12 In 1986 I took my first capital case, which was a
13 post-conviction case in Illinois. Over the years my
14 practice evolved to the point that in recent years
15 it's been totally capital work.

16 Q. And so over what period of time have you been
17 involved in capital cases?

18 A. Since 1986.

19 Q. Now --

20 THE COURT: But when did it become
21 exclusively capital work?

22 THE WITNESS: Certainly, for the most part,
23 the last 10 years I might have occasionally done a
24 sentencing case, but I haven't for several years now.

25 THE COURT: Okay.

1 Q. Have you in your practice had occasion to testify
2 in court?

3 A. Yes.

4 Q. Could you please tell his Honor what your
5 experience has been in that regard?

6 A. In all types of cases?

7 Q. Well, let's start with all types and maybe break
8 it down into more relevant subcategories.

9 A. I mean I started out in juvenile court and
10 testified --

11 Q. I'm talking about capital. I think we're -- I
12 mean to suggest capital cases, start with that and
13 just give the Court what you've done.

14 A. This is my 30th time testifying in a capital
15 matter.

16 Q. Have you testified as an expert witness?

17 A. Yes.

18 Q. As an expert witness --

19 A. Yes.

20 Q. -- in all of those cases?

21 A. Yes.

22 Q. Okay. Now can you be a little more specific in
23 types of capital cases in terms of what types of
24 courts and matters, that sort of thing?

25 A. I have testified in state trial cases 10 times,

1 in state court conviction cases 11 times, six times in
2 federal trials, one federal habeas and one military
3 trial level.

4 THE COURT: Just a second. Six times in
5 federal trials at the trial level when the court was
6 determining guilt and punishment under a federal
7 capital sentencing scheme?

8 THE WITNESS: Yes. Five of those in the
9 penalty phase, and one actually in the guilt phase
10 where mental state was an issue.

11 THE COURT: All right. Thank you. Sir --

12 MR. SIMMONS: Excuse me, your Honor?

13 THE COURT: I'm sorry, I will interrupt one
14 more time. Excuse me.

15 So this is your second time to testify in a
16 federal habeas proceeding?

17 THE WITNESS: Yes.

18 THE COURT: Okay. Go ahead, sir.

19 Q. Is the nature of the testimony that you're
20 supposed to give here today similar to the types of
21 testimony that you've given in these other cases?

22 A. Yes.

23 Q. And just in a general way, could you tell the
24 Court the type of testimony you propose to give here
25 and how it is similar or dissimilar to the other types

1 of testimony you've given?

2 A. It's general social history information. Some
3 assessment of the significance of some of those
4 factors, and then in post-conviction proceedings, that
5 I have also testified about the original penalty phase
6 and what were some of the problems in the preparation
7 and presentation of that in that penalty phase.

8 Q. Okay. So you've done that, did you say, in
9 federal court about a half a dozen times?

10 A. In federal trials I've testified on social
11 history and psychosocial assessment.

12 Q. Okay. And is what you're planning to testify to
13 today rather similar to what you have testified to in
14 those cases in terms of approach?

15 A. Yes.

16 Q. Methodology?

17 A. (Witness nodded.)

18 Q. And nature of the opinions you're going to give?

19 A. Yes.

20 Q. Okay. Do you have any professional memberships?

21 A. Yes. I'm a member of the American Academy of
22 Experts in Traumatic Stress, the National Association
23 of Sentencing Advocates and the National Legal Aid &
24 Defender Association.

25 Q. Have you received any awards from any

1 organizations of this type?

2 A. Yes. In 2000 I received the "Life in the
3 Balance" Achievement Award, an award given by the
4 National Legal Aid & Defender Association for capital
5 defense representation. And in 1999 I received the
6 "Outstanding Contributions to the Profession," Award
7 from the National Association of Sentencing Advocates.

8 Q. What professional services have you rendered?

9 A. Primarily training. I have done a lot of
10 training over the years. I trained probably several
11 times a year at national, state and local programs,
12 primarily on capital defense. I started out training
13 in the juvenile area, and then adult sentencing. In
14 the last few years, my training has primarily focused
15 on capital work.

16 Q. Have you trained attorneys?

17 A. Yes.

18 Q. Could you give the Court an example of that?

19 A. Well, I train annually at Life in the Balance, a
20 capital seminar put on by the National Legal Aid &
21 Defender Association. I've trained at the annual
22 training done by the National Association of Criminal
23 Defense Lawyers, and the NAACP Legal Defense Fund
24 Capital Punishment Seminar, once at the ABA, and then
25 state programs have, I come in and do training for

1 their attorneys.

2 Q. You mentioned the ABA. Have you had any
3 involvement with the development of guidelines by the
4 ABA?

5 A. Yes.

6 Q. And would you tell the Court what that was,
7 please?

8 A. Well, initially I was involved with "Guidelines
9 for the Appointment and Performance of Counsel in
10 Capital Cases" that were developed by the National
11 Legal Aid & Defenders Association in 1987. Those were
12 then adopted by the ABA in, I believe, 1989. More
13 recently the ABA has revised an update of their
14 guidelines and I consulted on that project last year,
15 and the ABA adopted those guidelines in February.

16 Q. Have you done any publications, written any
17 papers, articles of that kind?

18 A. Yes.

19 Q. Tell the Court, please.

20 A. Well, in the '70's I wrote an article that was
21 published in the Journal of Education for Social Work
22 titled "Teaching Law and Legal Skills to Social
23 Workers." Then I've done a number of newsletter
24 articles over the years, but more recently I have an
25 article coming out in the Hofstra Law Review in

1 October on "The Defense Team in Capital Cases." It's
2 part of an issue that's going to be devoted to the ABA
3 Guidelines.

4 THE COURT: In October?

5 THE WITNESS: Yes. And they're doing a
6 symposium in late October to sort of present this
7 issue on the new guidelines. I'll be speaking at
8 that.

9 Q. Okay. Have you received any grants in connection
10 with your work?

11 A. My grant work was really earlier in my career. I
12 wrote many grants beginning when I was at the Legal
13 Services Center of Dane County. The large grants were
14 to establish the Youth Policy and Law Center.

15 Q. Are there any other activities that you think
16 would be interesting or significant to the Court that
17 you have engaged in that might bear on your expertise
18 as a witness in the area you're going to testify to
19 today?

20 A. Just I would say my work as a faculty member and
21 in the School of Social Work was to train students in
22 social work methods and supervise them in field
23 placements that were in legal settings.

24 Q. How do you characterize what you do? Is there a
25 name for it?

1 A. Forensic social work. The word forensic when
2 it's in front of another profession just means that
3 you use the skills and expertise of your profession in
4 the resolution of legal matters, so I just work
5 primarily or entirely in court cases.

6 Q. All right. I'd like to ask you to tell the Court
7 in general what is an -- Is the term "mitigation
8 specialist" familiar to you?

9 A. Yes.

10 Q. What does that mean in your view?

11 A. It's a generic term that applies to people who
12 assist attorneys in capital cases by doing a number of
13 things. The primary role of the mitigation
14 specialist -- and people come to this job with a
15 variety of educational backgrounds. I think social
16 work is the most common, but some have other types of
17 educational backgrounds. The primary role is to do
18 the social history investigation which is so critical
19 in a case and really the foundation of so many other
20 decisions that have to take place in a capital case.

21 They also, you know, assist with, you know,
22 working with the client and their family, helping to
23 identify potential witnesses, developing the themes
24 and strategy for the case. Another key role is to
25 assist in identifying the need for other expert

1 assessments and then providing that social history
2 information that the other mental health experts need
3 in order to do competent evaluations.

4 Q. Do you regard yourself as an expert in this area?

5 A. Yes.

6 Q. Is this the nature of the testimony that you have
7 given in these federal cases that you have previously
8 described?

9 A. Yes.

10 Q. Again speaking rather generally, I would like
11 you, if you could, to tell the Court what are the
12 types of -- let's say you come into a case initially
13 and you're brand new. What is your methodology, what
14 is your approach to your work in general?

15 A. You know, I start by asking the attorney for some
16 information about the case, what they know about the
17 client, the facts of the case, to send me whatever
18 records and reports they have related to the offense
19 in this case itself, and if they have any prior
20 history, to send me that. If they've gotten any
21 information about the client, to send that so that I
22 have a little information to begin with.

23 I then would meet the client. That's one of
24 the first things to do, and try to get a sense, one,
25 of their functioning at the time, and then to begin to

1 get the background information that I need. So you
2 know, the first meeting is generally very long,
3 getting a lot of social history information.

4 But the other thing you need to do early on
5 then is identify all the records that you need to
6 collect and other collateral sources of information so
7 you can begin to develop a sense of, where do I need
8 to go to learn as much as I can about the life history
9 of this person. So then we start to collect records.

10 I will then do other interviews. You know,
11 each thing that you do leads you to someplace else.
12 So records will have names in them, and I'll go find
13 those people.

14 When I do interviews with family or others,
15 information comes out that I need to go back and talk
16 to the client about to explore further.

17 You know, it requires multiple visits with
18 some people because you need to develop a relationship
19 of trust and confidence with people so that they will
20 disclose sometimes very private and very sensitive and
21 shameful information.

22 The other thing I do early on as I'm
23 collecting this information is kind of analyze it to
24 see, are there some issues here that would indicate
25 the need for other experts to come in and evaluate the

1 client.

2 Q. Miss Miller, I would like you to look at Exhibit
3 3, please.

4 A. (Witness complied.)

5 Q. Could you just tell the Court what Exhibit 3 is?

6 A. That is an affidavit that I prepared in this
7 case.

8 THE COURT: I note for the record that the
9 copy that I have has a copy of an exhibit tag 4 in the
10 lower right-hand corner. Would you look at the lower
11 right-hand corner and see if that's --

12 THE WITNESS: Yes.

13 THE COURT: All right.

14 Q. And this, I take it, was submitted in the
15 post-conviction state court proceeding?

16 A. Yes.

17 Q. And if you would look, Miss Miller, please, at
18 paragraphs 9, 10 and 11. Are these the kind of
19 records that you would have been asking for and
20 looking for in a normal investigation of the type you
21 described?

22 A. Yes.

23 Q. All right. Now is there in your view an issue
24 related to the timing of these kind of activities,
25 when they should occur? And if so, would you just

1 describe that to the Court?

2 A. Okay. Absolutely an issue. These kinds of
3 things need to be done early in the case and well in
4 advance of trial for a number of reasons.

5 One, you really need to understand the
6 functioning of your client. There may be issues
7 related to mental state or competency, or just their
8 ability to relate to counsel and work with them in the
9 case.

10 There may be a need for other experts, and
11 for them to do their evaluations they require good,
12 documented and accurate social history information.

13 So you need to have that pulled together in
14 advance of having the experts do their assessments.
15 You need to have this information in order to develop
16 your trial strategy, to select the jury.

17 It's also used sometimes to try to work out
18 negotiated settlements of cases. So for a number of
19 reasons you need to get this information early, and
20 again to be sure that the strategy that's developed
21 for trial is coordinated in terms of guilt phase and
22 penalty phase, and that you know in advance of trial
23 what that penalty phase strategy is going to be.

24 MR. COLLYER: Your Honor, at this point we
25 would like to renew our objection to Miss Miller's

1 testimony as an expert witness, as we did in our
2 written objections. If you would permit we would
3 like to ask a few brief questions to voir dire here
4 on the qualifications.

5 THE COURT: Have you finished with your
6 qualifications?

7 MR. SIMMONS: Yes, your Honor.

8 THE COURT: Very well. I'll permit the
9 voir dire now.

10 VOIR DIRE EXAMINATION

11 BY MR. COLLYER:

12 Q. Good morning, Miss Miller.

13 A. Good morning.

14 Q. You testified you started working on your first
15 death penalty case in 1986?

16 A. Yes.

17 Q. Okay. Do you remember when in 1986 that was?

18 A. I think in the fall.

19 Q. Okay. What types of training did you have before
20 the fall of 1986 to work on a capital case?

21 A. I had been to trainings in the National Legal Aid
22 & Defenders Association.

23 Q. Were these seminars that you attended, were these
24 national seminars that you attended?

25 A. Yes.

1 Q. Do you remember the titles of them?

2 A. It would be their annual training conference.

3 Q. And these were specifically for death penalty
4 cases?

5 A. No. It was an annual conference that had
6 sessions related to death penalty.

7 Q. Did you have any training in Ohio for death
8 penalty mitigation investigation?

9 A. No.

10 Q. Are you familiar with when Ohio had their death
11 penalty law put on the books?

12 A. I'm thinking it was 1980 or '81. It wasn't one
13 of the first ones, I think, in the '70's.

14 Q. Was there a national standard that was in place
15 at that point in time to govern all mitigation
16 specialists throughout the country?

17 A. No.

18 Q. So it varied?

19 THE COURT: "At that time" meaning 1980?

20 MR. COLLYER: I'll do both.

21 Q. In 1981 was there a national standard?

22 A. No.

23 Q. How about by March of 1986?

24 A. There was not a national standard per se, but I
25 think in the community in terms of training programs,

1 trial manuals and then looking at court decisions from
2 the Supreme Court, a general sense of what was
3 necessary to properly prepare.

4 Q. Are you familiar with any training programs or
5 publications that existed in Ohio before March of 1986
6 governing how a mitigation specialist would perform in
7 a capital case?

8 A. No. And I have seen some newsletter articles
9 written by some people in Ohio, but I don't recall the
10 date. It would have been in the '80's, but I can't
11 say if it was before '86.

12 Q. Okay. Are you familiar with any experts in the
13 field in Ohio who did mitigation specialist work
14 before March of 1986?

15 A. Yes.

16 Q. Who would those be?

17 A. Susan Shore, Jane Core. I'm trying to remember.
18 Debra Starkey was doing it, and I don't recall, you
19 know, when. I don't know when Martha Jacoby or
20 Michael Curtis began, but I know they were working in
21 the '80's.

22 Q. Now I think you identified three factors that you
23 would be giving expert testimony on, and let me know
24 if I have stated this correctly. General social
25 history that's necessary in a capital case, is that

1 one of them?

2 A. Yes.

3 Q. The other is the significance of the factors that
4 would be developed in the social history?

5 A. Yes.

6 Q. And then also the problems in the preparation and
7 presentation in a penalty phase trial?

8 A. Right.

9 Q. Okay. Now do you have a theory that you applied
10 to each of these three factors that will be tested?

11 A. I'm not sure what you mean.

12 Q. Well, I'm looking for your methodology in
13 determining as an expert witness your ultimate
14 conclusion on each of these three factors, what type
15 of a theory you applied to these three factors?

16 A. Well, I think my affidavit lays out what is
17 necessary to do in a social history investigation,
18 describes the nature and scope of a competent social
19 history investigation. So I look at what was done
20 relative to what ought to be done to do a thorough and
21 competent social history investigation. And then look
22 at that information in terms of understanding the
23 significance of developmental factors and experiences
24 in someone's life, how they influence behavior,
25 personality. In terms of analyzing, you know, what

1 was done at trial, I compare what was done to the
2 social history, and then, did people, you know,
3 understand, pick up on significant factors, develop
4 that and present it.

5 Q. Now these list of factors that you have in your
6 affidavit, the things that you're looking for in
7 evaluating this case, are those types of factors
8 subjected to peer review in your community of
9 mitigation specialists? I mean are these factors that
10 you list ones that appear in publications that other
11 experts in your field evaluate to determine whether
12 they agree with that or not?

13 A. I'm not sure what you mean, but they're not in --
14 I don't know the articles. There are a number of
15 people, myself included, who have developed sort of
16 affidavits, articles that are used as training
17 handouts that talk about what you need to do to do a
18 competent social history, so that a number of us
19 who -- we're actually right now working on pulling
20 them all together because of the great need for more
21 trial mitigation specialists.

22 THE COURT: Let me back up a little bit and
23 see if I can assist my own understanding of where this
24 is going. The notion of a social history as the work
25 product of a social worker is not something limited to

1 either forensic social work or capital forensic social
2 work, is it?

3 THE WITNESS: No. Absolutely not.

4 THE COURT: So in your experience both as a
5 licensed social worker and as a faculty member in
6 doing social work, teaching, are there standards that
7 apply to the preparation of social histories that
8 would be generally accepted in the field of social
9 work, to put it perhaps --

10 THE WITNESS: I don't know if it's sort of
11 written up.

12 THE COURT: Put it perhaps colloquially, are
13 there textbooks?

14 THE WITNESS: There are books.

15 THE COURT: Textbooks?

16 THE WITNESS: Books that talk about social
17 work methods. When I taught methods, I didn't use a
18 single textbook, I used a lot of articles and
19 materials.

20 THE COURT: One would expect no less of
21 someone teaching at the University of Wisconsin.

22 THE WITNESS: In methods you teach, you
23 know, to be able to treat clients, which social
24 workers do, you first have to understand their history
25 and identify their problems and treatment needs.

1 That's really what I taught in methods. And
2 fieldwork, how do you collect information, how do you
3 analyze information, how do you use it to figure out
4 treatment and rehabilitation needs, how do you set up
5 a plan for services, how do you deliver services. It
6 all really derives from knowing the history and
7 circumstances of your client, so it's basic. I've
8 been doing social histories since I started in
9 juvenile court in 1971.

10 THE COURT: But as you said previously, that
11 would also be a matter of -- the preparation of a
12 social history would be something that would be done
13 by folks who were doing social work other than
14 forensic social work?

15 THE WITNESS: Oh, yes. You know, the county
16 social service agency which is -- most people know as
17 the most common social work agency, is doing child
18 welfare and family services, they need social history
19 information to help their clients. In hospitals they
20 do it. Mental hospitals of course routinely do social
21 histories to get a sense of the mental health issues
22 on a patient's, you know, life, and figure out
23 treatment plans. So it's really a part of the social
24 work profession.

25 THE COURT: Back to you, Mr. Collyer.

1 BY MR. COLLYER:

2 Q. Now when you testified, though, that mitigation
3 specialists can come from a variety of different types
4 of background. What types of background besides
5 social work do those specialists come from?

6 A. There are people practicing -- there are lawyers
7 that decided they would rather be mitigation
8 specialists and then they go to trainings to learn how
9 to do that. People with criminal justice backgrounds.
10 You know, one of the top people in the country has an
11 anthropology degree. I know someone with a journalism
12 degree. But all of them have gotten a lot of training
13 working in agency settings.

14 Q. So there's no list of qualifications then to be a
15 mitigation specialist?

16 A. Not per se. It's more an understanding of the
17 kind of skills one needs in order to do the work. And
18 there are people who are mitigation specialists and
19 have the information-gathering skills but don't have
20 the educational training to do the psychosocial
21 assessment component, so there are different models of
22 how you do it, so if they don't have that training,
23 like I'm a licensed clinical social worker that can do
24 that, they would then bring someone else in that they
25 would provide the information to who would make the

1 assessment. And that I think has been typically
2 what's been done in Ohio where the mitigation
3 specialist collects the information, though they
4 understand indicators of key things they bring in a
5 psychologist very often to work with them.

6 Q. Now would you agree that the practice of
7 mitigation specialist has developed since you first
8 became involved in the fall of 1986 to where you are
9 today?

10 A. But starting before then, I actually did, which I
11 don't have, just a standard of care memorandum for a
12 post-conviction case in New Jersey where I, you know,
13 went through the history of the development. There
14 were actually people doing mitigation work actually in
15 the '70's before the Furman and Gregg decision, and
16 then starting again after, so it's evolved.

17 MR. COLLYER: Your Honor, I think at this
18 point that's sufficient for my voir dire.

19 THE COURT: All right.

20 MR. COLLYER: I could -- I would just make
21 my objection to her qualifications as an expert
22 witness on two principal grounds. One is a temporal
23 ground, that she is giving testimony today as the
24 standards that would be in place for this particular
25 case, which would be the end of 1985 up to and

1 including March of 1986, and I don't think that
2 she's qualified to give testimony as to that time
3 period what standards were in place for mitigation
4 specialists. And then also specifically as to what
5 standards were in place in Ohio.

6 Going to the thing -- the three areas what
7 she proposes to give testimony on, I don't have an
8 objection to testimony as to what a social history
9 is, and as an expert witness, what types of things
10 were done in the social history, but as to the
11 significance of the factors for penalty phase
12 preparation of what's developed in the social
13 history as to the problems of preparation of
14 presentation at the penalty phase of a trial, I
15 don't think this witness is qualified to give that
16 kind of testimony.

17 THE COURT: Thank you, sir. The testimony
18 will be taken subsequent to the objection.

19 DIRECT EXAMINATION (Continued)

20 BY MR. SIMMONS:

21 Q. Miss Miller, we were looking, I believe, at
22 Exhibit 3, and there is -- Excuse me, I may not
23 recall, but have you stated generally what Exhibit 3
24 is?

25 THE COURT: Yes, she has.

1 MR. SIMMONS: Okay.

2 Q. And there's an Exhibit B to Exhibit 3. Would you
3 tell the Court, please, what that is?

4 A. I believe it's my report regarding findings in my
5 social history.

6 Q. Okay. This is, it says "Confidential
7 Memorandum." It's dated April 24, 1996.

8 A. Yes.

9 Q. Okay. And just could you please tell the Court
10 in a bit more detail how you came to prepare this and
11 what it is and what its significance is in your view?

12 A. How I came to -- I initially was brought into
13 this case in 1991 just to review the trial record and
14 comment on the social history that was done and the
15 advocacy of that preparation at the time of trial. I
16 subsequent to that was asked in 1993, I believe, to do
17 the actual social history that I believe should have
18 been done, you know, prior to trial.

19 Q. Now just so -- excuse me for interrupting.
20 Exhibit 3 is what you think should have been done?

21 A. That's correct.

22 Q. Go ahead.

23 A. And even that, there are a number of people that
24 haven't been interviewed, but it was much more
25 extensive than what was done at the time in 1986.

1 Q. All right. Now what -- Could you tell the Court,
2 please, what your opinion is of what was done in 1996
3 in regards to mitigation?

4 A. Well, it was a very, very incomplete social
5 history so it failed to uncover and develop many key
6 factors in Larry Landrum's life, and it was done way
7 too late to provide the attorneys with what they
8 needed to develop a strategy and presentation.

9 Q. I don't know if it would help you or not, but you
10 certainly are welcome, I'm sure, to glance at your
11 affidavit if it would assist you, but I would like, if
12 you could, to be a little bit more specific with the
13 Court as to the inadequacies that you feel exist in
14 the mitigation work that was done in the original
15 trial.

16 A. Well, first of all they didn't really begin to
17 work on the case until January 22nd of 1986 with a
18 February 10th trial date, and that's just -- all they
19 did then really was interview the client at that
20 point. There were some other interviews, I believe,
21 that occurred on February 3rd. Most of the work was
22 done after the guilt phase of the trial, which makes
23 it, of course, impossible to know the penalty phase
24 strategy and incorporate it into jury selection and
25 case strategy.

1 And with the time limits, and I understand
2 they had to have a caseload on other cases, there were
3 just very many things that weren't done, records that
4 weren't pursued, people that weren't interviewed.

5 There were things that they obtained that
6 simply weren't developed. For example, the Upham Hall
7 records had very, very significant information in
8 them, and none of that information -- that information
9 really wasn't developed and presented. I don't
10 believe they got those records until well into
11 February, so that was quite late.

12 The interviews that were done, there was a
13 lot of information that wasn't obtained in them that I
14 obtained in later interviews. Some of them were done
15 as group interviews, and that's simply not a way to
16 get people to talk openly about difficult things in
17 their family, when they're sitting around with other
18 family members. So the methods of getting the
19 information I thought were not appropriate, either, so
20 I mean it sort of violated almost every standard of
21 how you would go about conducting a thorough and
22 proper social history. It was just very incomplete.
23 And then no one really even took what was there that
24 indicated some significant issues and developed them.
25 Q. Could you be -- You described, I think, how you

1 feel about the methodology or the procedure that was
2 employed. Could you be specific with the Court on
3 some of the things that you discovered that you think
4 were significant that were not uncovered and not
5 presented in the original trial?

6 A. Well, some -- First I'll talk about some things
7 that there were some indications of depression. In
8 particular I think in the Upham Hall records there
9 were clear indications --

10 THE COURT: U-p-h-a-m Hall. If I recall
11 correctly, Upham Hall is an agency of Ohio State
12 University.

13 THE WITNESS: It was connected to the
14 University Hospitals but it was a psychiatric
15 treatment program for juveniles.

16 MR. SIMMONS: All right.

17 Q. You were in the process, I think, of
18 describing -- you covered Upham Hall, you were in the
19 process of describing some specific points that you
20 uncovered that you thought were significant. Would
21 you just go on with that?

22 A. There were clear indications that Larry suffered
23 from depression, that he had suicidal ideation, very
24 clear indications of his adopted father being abusive
25 to him. He was afraid of him. Even the father

1 admitted to becoming violent. That was significant.

2 There were indications of sexual issues that
3 might lead one to explore the possibility of childhood
4 sexual abuse. There were certainly clear indications
5 of a substance abuse problem by this time.

6 Q. Now okay, I don't mean to interrupt, but the
7 first three or four points you made up to the
8 substance abuse, were those points that were uncovered
9 in the original report and/or presented at the
10 original trial, those first three or four items that
11 you just mentioned?

12 A. No.

13 Q. All right. Now of course there was some
14 discussion at the trial of substance abuse?

15 A. Oh, certainly, and there was a mention that he
16 had been to Upham Hall.

17 Q. Okay. Now you also mentioned something about
18 sexual -- you said something about sexual abuse. What
19 did you uncover in that regard, please?

20 A. There were two things in the Upham Hall records.
21 One was the testing that indicated problems with what
22 they called sexual differentiation. To me that's sort
23 of a red flag that you quickly want to know what is
24 that about, did something happen in early childhood,
25 particularly when you have it in combination with

1 early substance abuse. When people start to abuse
2 substances fairly early, like in childhood, usually
3 there's some underlying reasonableness to trauma of
4 some sort that leads to that. So the two of those
5 together.

6 And there was an incident right before he was
7 discharged in which he exposed himself to a staff
8 member. He clearly from the records was experiencing
9 extreme anxiety about going home and that clearly came
10 through in the records, and again to me would have
11 been a real red flag to pursue why was he so afraid of
12 going home.

13 THE COURT: Excuse me. I'm going to
14 apologize for interrupting the flow of testimony. You
15 needn't step down but we have a half a dozen people
16 that have been waiting on this initial appearance and
17 I want to take care of that, so if you'll pardon the
18 interruption.

19 (Whereupon another matter was
20 taken up by the court.)

21 * * * * *

22 THE COURT: Mr. Simmons, you may resume.

23 MR. SIMMONS: Thank you.

24 BY MR. SIMMONS:

25 Q. Miss Miller, I was asking you to be a little

1 clearer if possible on this sexual abuse point to be
2 made. What, if anything, beyond what you have
3 already said, did you discover in your investigation
4 in that regard?

5 A. I learned from an older female cousin who
6 volunteered to me that she had indeed sexually
7 molested both Larry and another cousin who were
8 living in the household. This household which I
9 haven't described yet, but is described in all the
10 records, is a very large, multi-generational
11 household in Sault Ste. Marie, where there were 15
12 children in the family and many of them came home or
13 lived at home with their own children, so at times
14 there were 20 or more people in the household. And
15 so this is where this occurred. In fact this person
16 who admitted to me being the perpetrator had herself
17 been victimized by an older uncle in this same home.

18 Q. About how old was Larry when this happened?

19 A. About four or five.

20 Q. Now --

21 THE COURT: One incident or many?

22 THE WITNESS: More than one. Probably not
23 many. A few.

24 Q. Now was that ever brought out in the original
25 trial or the mitigation phase?

1 A. No.

2 Q. In connection with that comment, you talked about
3 the family but I think that's worth a separate
4 discussion, if you don't mind, aside from the sexual
5 abuse part of it.

6 Could you describe to the Court, please, what you
7 discovered about the family situation when Mr. Landrum
8 was a young boy in Sault Ste. Marie?

9 THE COURT: Now before you do that I will
10 tell you that I have read your affidavit very
11 carefully and so I would invite you to -- you needn't
12 recite it, but feel free to emphasize the things you
13 think are most important.

14 THE WITNESS: Right.

15 A. I think the most important thing was, because the
16 social history was incomplete and inadequate, his
17 family was portrayed in a way that really wasn't
18 accurate. I think it was partially accurate, but
19 portrayed as this very positive, large and loving,
20 wonderful, warm environment. In some ways it was, but
21 in other ways there were some very significant things
22 going on that I believe had an impact on Larry. And
23 certainly the sexual abuse is one of them.

24 The other is that this is a family of,
25 multiple-generational family with a history of alcohol

1 and drug problems, and you know, when I have a client
2 who has a substance abuse problem I want to know that
3 family history because we know that there can be a
4 genetic predisposition. So I wanted that information
5 and asked it, and found that at least eight of the
6 aunts and uncles had alcohol and/or drug problems, and
7 maybe more, because there were a couple not living in
8 Sault Ste. Marie.

9 The paternal grandfather had problems. There
10 certainly was a family history of that, and it was
11 going on in the household when Larry was in the
12 household. There were lots of people in and out of
13 that household who had drugs, and I think one of the
14 things that struck me was, I think, the relative
15 uninvolved of his mother in his early care. She
16 was working and she was, you know, 18, 19, 20, so she
17 was out socializing.

18 He had many different caregivers and that's
19 really not ideal for a young child. But the primary
20 caregiver really was his grandmother to whom I think
21 he became most attached so that her death in 1968 when
22 he was, you know, six or seven, because I'm not sure
23 of the month, was a very significant loss for him.

24 Q. Was that at all alluded to in the original
25 reports or the trial?

1 A. No. There may have been a brief mention of her
2 death, but not really talking about these other things
3 in the household.

4 Q. Was there significance in your investigation in
5 his relationship with his father, and could you --
6 stepfather, and could you please discuss that in the
7 context of how the situation was actually presented in
8 the mitigation phase at trial?

9 A. Well, it was presented that there was what they
10 called inconsistent discipline, you know, but why that
11 was significant wasn't explained. It was sort of
12 inaccurately presented in that it was presented that
13 June was, you know, the stricter parent, and Dick
14 Landrum was the lenient one who sort of undermined her
15 discipline. Indeed I think she was probably a harsh
16 disciplinarian and they seemed to believe that, but
17 her discipline at least related to infractions on
18 Larry's part and was predictable if you did something
19 wrong.

20 Dick on the other hand, and particularly
21 after he came back from Korea, was described as very
22 moody and volatile and explosive and exhibited
23 unpredictable violence to the level of where it was
24 abusive with Larry. And not only is the abuse
25 significant, but the unpredictability of it for a

1 child, because then they don't know what can set a
2 parent off, and they sort of -- it creates a lot of
3 anxiety in a child.

4 It's clear, you know, and it was mentioned
5 that he had lots of run-aways, for example. Well,
6 run-aways are not really run-aways if they're actions
7 to avoid abuse, and that's what they were on Larry's
8 part. And that was never explained. Basically when he
9 would not go home, it was because he was afraid of his
10 stepfather, who then became his adopted father, and
11 afraid of being beaten.

12 Q. Was there any significance in your investigation
13 in the move from Sault Ste. Marie to Chillicothe and
14 when it occurred in terms of his development?

15 A. It occurred just as he had turned five years old,
16 and actually his mother went ahead without him. One
17 of the other things that struck me about that move,
18 and then again looking at some things in the Upham
19 Hall records, were sort of what it said about Dick
20 Landrum, who apparently insisted, even though he was
21 going to be overseas in Korea, that his wife go to
22 live with his family, who she had never met, and then
23 his later described as being very restrictive of June
24 and not allowing her to do things outside the home,
25 which says to me something about his level of need for

1 control, his anger, his possessiveness, you know,
2 which really wasn't developed.

3 For Larry that was a significant move because
4 really he had not had that close of a relationship
5 with his mother in the home he was growing up in,
6 which was a large, you know, family. So he went to
7 this family of virtual strangers, and apparently both
8 to Dorothy Landrum and June, things were very
9 uncomfortable in that house. June didn't feel
10 accepted by Dorothy who later became his adopted
11 grandmother. She would leave the room when June came
12 into it. There was a level of tension in that home
13 which I think would be difficult for a young child,
14 and moves are always difficult for children when they
15 have to change schools and try to make new friends, so
16 it was a difficult transition for him.

17 Q. And were these subjects developed by the original
18 investigation?

19 A. No. There was a brief mention that the move was
20 hard, but more because he was leaving what they
21 described as this wonderful family situation, you
22 know, which actually had its own set of problems. So
23 it was alluded to, but again talking about how did
24 that affect Larry, how might it have contributed to
25 the depression, low self-esteem he suffers from, how

1 did that contribute eventually to using substances as
2 a way to self-medicate --

3 Q. Could you just tell the Court in general your
4 evaluation, opinion of the mitigation presentation in
5 Larry's original trial?

6 A. Well, it was --

7 MR. COLLYER: Objection, your Honor.

8 THE COURT: Under advisement. Go ahead.

9 A. It was very, very weak and ineffective, and
10 actually inaccurate in many of it's assertions.
11 Some of the assertions the mitigators tried to argue
12 actually were correct, but they didn't put on any
13 evidence to support them.

14 THE COURT: Spell that out a little bit
15 more, please.

16 THE WITNESS: Yes. For example, they
17 talked about youthfulness.

18 THE COURT: I'm sorry?

19 THE WITNESS: Youthfulness. As a
20 mitigator in my experience, and I, you know, I've
21 done a number of cases where this was an issue, and
22 also trained on it. For youthfulness to be viewed
23 as mitigating jurors have to understand why it's
24 mitigating, and we've made it mitigating because we
25 understand that.

1 THE COURT: "We" meaning the legislature?

2 THE WITNESS: The legislature, the public,
3 those of us in the human service professions that
4 children, that there are behaviors that young people
5 engage in that are a product of that age and stage
6 in life, a product of immaturity. They are
7 impulsive, they don't think past their nose, they
8 don't anticipate consequences. But they mature out
9 of it. So how we evaluate their culpability as it
10 relates to punishment is knowing these are behaviors
11 at a stage in life people will grow out of, so you
12 have to understand why it's mitigating.

13 Then you have to understand about Larry in
14 particular, you know. And one of the arguments that
15 was made by the prosecution was that he was mature
16 because he had been in the Navy and had children.
17 Well, we know that doesn't necessarily make people
18 mature because they managed to do that. In fact,
19 having children out of wedlock that young is
20 probably an example of immaturity.

21 But there are many ways in which Larry was
22 very socially and emotionally delayed and immature
23 that many people I talked to, you know, described to
24 me, and none of that was presented, so that the jury
25 couldn't really give any weight to that factor.

1 They didn't understand why it's mitigating and
2 didn't know the ways in which Larry was very
3 immature for his age. And the fact that he was
4 involved with 15- and 16-year-olds as friends would
5 be one indicator, but they got, you know, nothing
6 else on that.

7 They also argued what we call skipper
8 evidence, which is his ability to make an adjustment
9 to incarceration, but again put on no evidence to
10 support it. So a jury can't really evaluate that and
11 give any weight to that if they have no evidence about
12 his ability to make a real adjustment. They did not
13 get the Fairfield records, which I understand were
14 destroyed, but they had some names of people that
15 worked at Fairfield and could have looked for staff
16 people, you know, that had been there to try to get
17 some information about Larry. We do know he completed
18 his GED there and got his driver's license there.
19 They did not get the jail records or talk to any jail
20 staff, which I routinely do in every case that I work
21 on.

22 THE COURT: Because?

23 THE WITNESS: You know, either they didn't
24 have the time or they didn't know.

25 THE COURT: Why do you get them?

1 THE WITNESS: Because it's very significant
2 to a jury to know how a person can function in a
3 confined setting if they're deciding between a life
4 sentence and death. The fact that someone will
5 adjust, will not cause problems, will get along with
6 the inmates, will be respectful of employees, partake
7 in programs, can be most compelling evidence. Some of
8 the best witnesses I have seen are the correctional
9 officers that come over and say what a great guy this
10 is and he works, gets job assignments and he works and
11 helps other people. That can be important evidence.

12 The other thing about the jail records in
13 this case and why I really wanted to get them, and by
14 the time I got them, many of them had been destroyed,
15 so I didn't get them. But what I was wanting was that
16 I had been told that Larry went through withdrawal
17 early on in the jail, so I would have wanted to know
18 about that, and that he was on medication.

19 The first time the mitigation specialist
20 talked to him was three days after the birth, death of
21 his baby, and there's no mention, I don't believe, in
22 their notes about that, which to me is an extremely
23 significant factor. And I would be very concerned
24 about the mental state of my client who just had a
25 baby die.

1 He told him he was on medication. We had
2 been told that he was on medication throughout this
3 trial, which to me is significant, and attorneys
4 should have been aware just to know was he in a mental
5 state that he understood what was going on in the
6 trial and could participate in it when he was on
7 psychotropic medications. And those records were
8 gone, were destroyed by the time I was involved in the
9 case but --

10 THE COURT: No indication that they were not
11 destroyed pursuant to a regular pattern? No
12 indication they were done --

13 THE WITNESS: No, it's just become a common
14 practice, I have found, in recent years to destroy
15 records after a certain period of time. Now the
16 Scioto records, those records actually still existed
17 at the time of his trial, but by the time I got in the
18 case had been destroyed, and they were never
19 requested. So that kind of thing happened, and of
20 course the jail records would have been available then
21 that were later destroyed.

22 Q. In responding to the, I think perhaps was the
23 Judge's question, maybe you've already covered this, I
24 just want to be sure. I think you said something to
25 the effect in discussing immaturity and the

1 significance of it that it was -- that you had in
2 talking to people or doing your investigation,
3 uncovered other information that you thought was
4 relevant on the immaturity issue, and I'm just not
5 sure that you described it. If you have, excuse me,
6 but if you haven't, would you please do so, aside from
7 his age and aside from having had the children?

8 A. Well, he had difficulty in developing
9 relationships with age peers and tended to relate
10 better to younger people, age 15 and 16. These were
11 his friends. Had difficulty, you know, goal setting.
12 Was described as, you know, impulsive, you know, not
13 planning ahead, being sometimes just silly acting,
14 kind of silly and childish, and not necessarily
15 related to substance abuse. People just generally
16 described him as immature.

17 Q. Would you please look at Exhibit 8?

18 A. (Witness complied.)

19 Q. And please just tell the Court what that is?

20 A. That's a chronology, some people call it a
21 timeline. I just routinely do these in most of my
22 cases, where I take significant dates of the life
23 history and just sort of list them out in order so you
24 can get kind of a quick and easy overview of a
25 person's life and significant things that happened

1 over the course of it.

2 MR. SIMMONS: That's all I have, your
3 Honor, of this witness.

4 THE COURT: Thank you. Cross?

5 CROSS-EXAMINATION

6 BY MR. COLLYER:

7 Q. Miss Miller, you started your work in this case
8 in 1991; is that correct?

9 A. Yes.

10 Q. And you finished at least for state
11 post-conviction purposes in 1996?

12 A. Yes.

13 Q. I believe your testimony was you felt that even
14 at that point it was still incomplete, there were
15 still other things out there that you could have been
16 able to find?

17 A. There were names revealed in school records of
18 teachers. We did find some people. But there were,
19 you know, names of people, still other people that I
20 would have interviewed.

21 Q. So then even after working on it on and off over
22 a period of five years, there were still other things
23 that could have been done for Larry Landrum's
24 investigation?

25 A. Yes.

1 Q. You spoke a little bit about how the late start
2 for the mitigation specialists in this case was
3 deficient in your opinion.

4 Now you mentioned that the trial began on
5 February 10th. Do you know what date the penalty
6 phase began?

7 A. March 17th.

8 Q. Okay. And you said that by starting late and
9 having some of that investigation go on during the
10 guilt phase, that that could have affected the voir
11 dire, the attorneys asking the jurors and qualifying
12 them, and also the guilt phase strategy. Do you have
13 an opinion as to what effect there was in voir dire in
14 this case? Did you read the voir dire in this case?

15 A. No.

16 Q. Do you know how the investigation you've done
17 should have changed the strategy in the guilt phase in
18 your opinion?

19 A. You know, I have not read the guilt phase,
20 although I have read police reports and other
21 information related to the defense statements of other
22 people that ended up being witnesses. Possibly how
23 they handled the substance abuse issue might have been
24 different in the guilt phase. I mean that's just
25 speculating because I haven't seen it.

1 I know, for example, there was an
2 intoxication instruction, and that's part of many
3 statutes as a defense. So how that would have been
4 developed might have been affected. Certainly, you
5 know, an attorney should know that penalty phase
6 strategy when selecting the jury. That's very
7 important. And no, you know, I can't say without
8 having seen it how it would have influenced the guilt
9 phase, but you should know what you're going to do in
10 advance of trial so that -- because in a capital case
11 you know that a person's life is at stake and the
12 penalty phase presentation is going to be crucial and
13 want to be thinking about that and know where you're
14 going with it in advance of the beginning of the
15 trial.

16 Q. Okay. You also spoke a little bit about what the
17 mitigation specialists in this case did and didn't do.
18 For instance you mentioned some records that they did
19 not obtain. How do you know what they did and didn't
20 do?

21 A. I reviewed their file.

22 Q. Okay.

23 A. I have all -- I spoke actually with Jane Core,
24 but I had all of their typed product and all of their
25 handwritten notes and the records that they had

1 obtained and all of their requests for records.

2 Q. Okay. Did you submit any of that material in
3 connection with your report on this case to show what
4 they did and didn't do?

5 A. I talk about it in the affidavit and somewhat in
6 the report in terms of what people I interviewed said.

7 Q. So you reviewed that material in preparation of
8 your report. Did you also review it in preparation
9 for your testimony today?

10 A. Yes. I reviewed it the first time just to do a
11 kind of an assessment of the performance before I was
12 asked to actually do my report. Then I was asked to
13 do my history, and then, you know, sort of compared
14 them. And then I reviewed everything.

15 MR. COLLYER: Your Honor, at this time we
16 would request permission to see the materials that
17 were submitted to the expert upon which she's basing
18 her conclusion. We don't want to look through -- we
19 know mostly what she's listed in her affidavit that
20 she considered that we don't need to look through,
21 but as to these types of materials, the notes and
22 records they claim they requested and didn't get, we
23 would like an opportunity to see what those are.

24 THE COURT: Mr. Simmons?

25 MR. SIMMONS: Your Honor, I don't believe

1 they're available right this minute, but I certainly
2 have no objection to it.

3 THE COURT: They should be produced within
4 10 days.

5 MR. SIMMONS: If counsel -- Maybe we can
6 do this off the record. I would like him to be very
7 specific what he is asking for and what he isn't.

8 THE COURT: I heard a standard Rule 26
9 request, anything that the expert reviewed in the
10 course of preparing her opinion should be disclosed.

11 MR. SIMMONS: Fair enough.

12 Q. Now in talking about some of the underdeveloped
13 issues, you mentioned the Upham Hall records and you
14 said that there was some testing that was done there
15 about sexual orientation, something along those lines?

16 THE COURT: Differentiation I think was the
17 word used. I don't know whether it's a distinction.

18 THE WITNESS: It's their word.

19 THE COURT: What test was it, can you tell
20 us?

21 THE WITNESS: It was based on drawings, they
22 did an MMPI and then they did -- Drawings were
23 immature and showed poor sexual differentiation and
24 strong dependency needs.

25 Q. For the record, what are you reviewing to make

1 that --

2 A. My report.

3 Q. What --

4 A. Page 21.

5 Q. Thank you.

6 What was the psychological diagnosis that the
7 Upham Hall people came up with for Larry Landrum?

8 A. Run-away reaction of adolescence.

9 Q. So now your testimony is, though, they should
10 have been able to diagnose him with some sort of
11 depression at that time?

12 A. They probably should have. In their records, you
13 know, are indications of his sadness, his anxiety.
14 They find him sobbing in his room one day, he appears
15 anxious and depressed. They describe him in their own
16 records this way. They didn't either go out and get
17 information about a lot of what was going on in the
18 home, although the father talked about himself, about
19 his own anger and violence, so they had information
20 both at Upham Hall, and then the mitigation people had
21 it.

22 You know, when I worked in juvenile court, I'd
23 see this, you know, behavior reaction to adolescence
24 thing all the time. It doesn't really tell you
25 anything.

1 THE COURT: It doesn't say anything more
2 than an adolescent is an adolescent.

3 THE WITNESS: And again calling it run-away
4 when those run-aways were really about avoiding
5 beatings, you know, sort of mischaracterizes what that
6 was about.

7 Q. And one of the other topics you touched on was
8 the inconsistent discipline and the way that played
9 out at trial, with the father being portrayed as the
10 more lenient of the two parents and the mother being
11 the strict disciplinarian; is that correct?

12 A. Yes.

13 Q. Did you find anything in your review of the
14 penalty phase to indicate that there was evidence
15 presented to the jury that the father had physically
16 abused Larry Landrum?

17 A. I believe David Enderle, a friend, said he was
18 aware of it, but it was a brief mention and again not
19 developed because it was inconsistent with what the
20 parents were saying. I'm not sure the jury would know
21 what to make of it.

22 Q. So is it your testimony also that Dick Landrum
23 didn't mention anything about abusing Larry?

24 A. You know, if he did, it was very superficial and
25 brief, not developed in a way that showed exactly the

1 nature and extent of what went on and how it related
2 to Larry's fear of going home, you know, when he was
3 in the community, and his extreme fear of going home
4 when they were discharging him from Upham Hall. You
5 know, it's not enough to mention something briefly if
6 it isn't explained, wanting detail like I've been
7 trying to give detail, and what it means and how it
8 affected his behavior.

9 Q. But would you find it to be significant if the
10 father admitted to a jury that he had physically
11 abused the son?

12 A. Somewhat, but not enough if it isn't explained in
13 more detail and then someone doesn't explain what is
14 significant about that in terms of how it, the effect
15 it had on Larry.

16 THE COURT: Do you have an opinion about the
17 effect it had?

18 THE WITNESS: Yes.

19 THE COURT: Are you prepared to state that
20 opinion this morning?

21 THE WITNESS: Yes. I mean I think it
22 created a great deal of anxiety in him, a great deal
23 of fear, and I think it was connected to his substance
24 abuse. I think his substance abuse, you know, was
25 self-medication for a number of things that -- fear,

1 his depression.

2 The other thing that I hadn't mentioned that
3 there are very many mentions is the hyperactivity
4 disorder in him, and there are other cousins that have
5 that, and that is something that can run in families
6 and I see a lot of clients self-medicating for that,
7 particularly using central nervous depressants because
8 they calm a person.

9 So there are many things that are linked to
10 his substance abuse that I think were very important
11 to talk about that were not talked about. So that the
12 jury might have known he abused substances, but if
13 they didn't know the underlying reasons, then how they
14 view that -- it's hard to view substance abuse as
15 mitigating if you don't understand why people abuse
16 substances and how it affects them.

17 Q. Now you just mentioned the attention deficit
18 hyperactivity disorder. Are you aware of any
19 psychological diagnosis even up to today that
20 Mr. Landrum suffered from that?

21 A. No, it's just by description of many family
22 members describing both the level of activity and then
23 the concentration, attention problems and
24 distractibility. Those are the things you see, but
25 there's not a diagnosis in the records.

1 Q. One of the other mitigators you mentioned that
2 you felt wasn't sufficiently developed was
3 youthfulness. How old was Mr. Landrum at the time of
4 the offense?

5 A. Very close to 24, but still 23.

6 Q. In your experience, what is the range of -- what
7 is considered to be youthfulness? What age range is
8 it?

9 A. You know, it can range well into the 20's because
10 you have to look at, you know, behavior, and whether
11 behavior is more indicative of a younger age. And you
12 look at things that delay people's maturation. Trauma
13 and abuse and depression, those are things that can
14 delay it.

15 The other thing we know is that the human
16 brain doesn't actually fully develop until well into
17 the 20's, and it's different for every person. People
18 mature at different rates, so you can be -- and
19 especially we know boys compared to girls tend to
20 mature later. And so they can be well into their 20's
21 and still behaving like 16-year-olds. I have a son
22 like that myself so --

23 Q. When you speak of well into your 20's, if you
24 could put a number range on it. I suppose that
25 depends on what the state's lower limit is eligible

1 for the death penalty. What's the upper number you
2 worked with in your experience?

3 A. There really isn't an upper number because every
4 person is different, you know, and matures at
5 different paces, and so you really have to look at
6 behavior and level of maturity instead of a strict
7 chronological number. It's hard to argue maturity I
8 suppose after the mid to late 20's, although even then
9 you can look at some people's behavior and say it's
10 immature, so there isn't a strict cut-off point on
11 that level.

12 THE COURT: You tend to offer in your
13 testimony a psychological and/or neurological
14 explanation. I infer that that's what you think from
15 what you have said. Would you be inclined to find
16 credible sociological explanations as well, the
17 pattern that graduate schools encourage people to stay
18 forever?

19 THE WITNESS: It's, you know, many things
20 that go into making the person and influencing the
21 development. You know, you can have -- there are
22 environmental issues of nutritional deficits and toxic
23 exposure and the way the parents parent. I mean, you
24 know, I found the paternal grandfather in this case
25 very interesting in that because he was orphaned at an

1 early age and shuffled around from foster home to
2 foster home, he had this need to have this large
3 family and keep them close, and he held on to them, I
4 think too tight.

5 I think that June Landrum sort of rebelled at
6 a point when she then had Larry and it was hard to get
7 away from that family, so that how his mother was
8 parented, why his grandfather didn't want to let him
9 go, that's part of what happened to his grandfather
10 when he was young, so you know, understanding how
11 people develop and become the person they are is
12 complicated and it requires looking at a lot of
13 things.

14 Q. Now in your experience working with psychologists
15 doing mitigation specialist type of work, are you
16 aware of any types of psychological tests that can
17 put, even though chronological age is 24, a
18 psychological age or level of maturity?

19 A. No, not specifically. There are cognitive tests
20 that place, you know, mental age in terms of cognitive
21 functioning, so you know, Dr. Smith I think would know
22 that.

23 Q. But in your review of all the records available
24 to you in this case, did you find anything to show
25 either a cognitive age or some other maturity age less

1 than 24?

2 A. At that time?

3 Q. Yes.

4 A. There wasn't that kind of tests. I haven't seen
5 any testing at the time. The only records of testing
6 are the Upham Hall records.

7 THE COURT: Mr. Collyer, I think at this
8 moment we'll take our morning recess for 10 or 15
9 minutes. We'll be in recess.

10 (Short recess.)

11 THE COURT: Mr. Collyer, you may resume your
12 cross-examination.

13 BY MR. COLLYER:

14 Q. I just have a couple more topics to hit.

15 You spoke a little bit about adjustment to
16 incarceration. What is your understanding, based on
17 the records you had at your disposal, about the
18 medication that Larry Landrum was on during his time
19 in jail?

20 A. I believe initially Xanax, and then I think
21 Desyрил and one other. I know there were two.
22 Halcion and I believe he was on Desyрил.

23 THE COURT: Hold on just a second. Halcion.

24 THE WITNESS: And Desyрил, which was an
25 antidepressant. Halcion which was used for sleep has

1 caused a lot of problems for people when the dosage
2 isn't correct. The first President Bush getting sick
3 in Japan when he was at a state dinner, that was
4 Halcion that caused him to pass out, so -- And he was
5 on that for sleep, and I believe put on those after
6 the baby died in late January.

7 Q. Are you familiar with the types of effects that
8 one would have from taking this type of medication?
9 Do these medications, are they more sedatives or do
10 they excite you or --

11 A. Halcion is used as a sedative.

12 Q. Okay.

13 A. And it can -- you know, I'm not an expert, so I
14 have some familiarity in terms of having what people
15 will call like a morning hangover where you're still
16 feeling tired, it can cause like confusion, and so it
17 can be a problem to be on it. I wouldn't know, but
18 Dr. Smith would know for someone with Larry's
19 substance abuse history any issues related to those
20 medications. But someone would want to know that and
21 find out more about it.

22 Q. Okay. How much are you being paid for your
23 testimony and your work in the federal habeas
24 proceedings here?

25 A. A hundred dollars an hour.

1 Q. How much time have you spent in the federal
2 habeas proceedings in this case?

3 A. On this case?

4 Q. Yes. Can you estimate?

5 A. I think by the end of today it will be between 50
6 and 60 hours.

7 Q. And I take it from your testimony and the
8 organizations you're involved in, you're opposed to
9 the death penalty?

10 A. Yes.

11 Q. How many other cases would you say you've been
12 involved in where you have come in to evaluate the
13 mitigation investigation and presentation done by
14 others in capital cases?

15 A. Where that's the only thing I've done, or done
16 that in addition?

17 THE COURT: Both.

18 A. I've done 32 post-conviction cases, you know, in
19 many states. One on a federal death sentence
20 post-conviction and two military. So I generally look
21 at -- I haven't -- there may be three, that I just did
22 that analysis and testified about that and didn't do
23 the whole history, the new history was done by someone
24 else, and the rest of them I actually then went out
25 and did the social history.

1 Q. Okay. Now in those cases where you were asked to
2 evaluate the work of other mitigation specialists, did
3 you find any of those cases to be complete in their
4 mitigation and investigation and preparation?

5 A. No.

6 MR. COLLYER: No further questions, your
7 Honor.

8 THE COURT: Redirect?

9 REDIRECT EXAMINATION

10 BY MR. SIMMONS:

11 Q. Miss Miller, you were asked if you were opposed
12 to the death penalty and I just wanted you to state,
13 does your opposition -- what, if any impact has that
14 had on the work that you have done in this case or
15 generally?

16 A. I think that not only because of that position
17 but because of being always hired by the defense
18 attorneys, I am very conscious of the need to be very
19 thorough in my histories and to try to document things
20 so that it's clear that I'm presenting accurate
21 information, because I know that, you know, people
22 will, you know, challenge me for that reason.

23 Q. Was there any explanation or any further
24 discussion you wanted to give about your opposition to
25 the death penalty?

1 A. Well, yes. I think that it's -- you know, it's a
2 position I came to, I come from a nondeath penalty
3 state so when I first came into this work I really
4 hadn't had to think about it at all, but in now going
5 on 18 years of doing it and having worked in many
6 states and, you know, federal and military
7 jurisdictions, I think -- and reviewing cases of
8 people, and I had a client in Oklahoma, the other
9 federal habeas proceeding, where that man was
10 executed. So to me when I look at who's on death row,
11 they're all poor, mostly minorities. People who, many
12 people with mental illness, people who are retarded.
13 And hopefully we're dealing with that now, but when I
14 see, you know, how people get the death penalty and
15 who does and who doesn't, it doesn't seem to make a
16 lot of sense to me, and has to be very often a
17 function of resources, the quality of lawyering, where
18 you know, in the South it's much more common, so it
19 troubled me as I began to see that.

20 Then I think because I'm a social worker and
21 I've been a social worker for over 30 years, and it's
22 a profession that really is based on a belief in the
23 worth of the individual and the capacity of the
24 individual to change, but the values of this
25 profession are really inconsistent with the death

1 penalty.

2 Q. Thank you.

3 THE COURT: Recross?

4 MR. COLLYER: No, your Honor.

5 THE COURT: Okay. My turn.

6 EXAMINATION

7 BY THE COURT:

8 Q. How much time did it take you to prepare? I'm
9 talking about hours now, not -- we've already had
10 testimony that you had some initial involvement in
11 this case in '91, and I think you said it was in 1993
12 that you were finally asked to prepare the social
13 history. So how many hours' work did it take?
14 Obviously this wasn't the only thing you did between
15 '91 and '93?

16 A. Post-conviction, of course you have kind of a
17 jump-start because you have some things. I had some
18 records and information --

19 Q. Right.

20 A. -- and names and addresses of people to start
21 with, which ordinarily I have to go looking for. So
22 it was, I believe, just under 200 hours. And that
23 actually is quite a bit less than what I actually
24 typically spend today getting ready for trial. But we
25 had some things I had to work with in the contracts

1 provided to me by the Ohio Public Defender, which is
2 why I say there were names and records of people I
3 would have still liked to look for and interviewed had
4 I had the ability to do that, but so I would say close
5 to 200, I believe.

6 Q. And you just indicated that that was
7 substantially less than you would spend if you were
8 doing a social history as a mitigation specialist at
9 the trial level today?

10 A. Yes.

11 Q. How much time would you spend typically?

12 A. Typically now, because I have been working on a
13 lot of federal cases where, you know, they're very
14 good about giving you the resources you need to do a
15 thorough report, I would say I average 5 or 600. Now
16 some of these cases, Larry's, involved geographic
17 locations. The number of hours, too, are a function
18 of where everybody is. I have had cases where I have
19 had to go to Africa and Korea. Those take a lot more
20 time when you have a lot of travel and family members
21 spread throughout the country, or an extensive history
22 of records. So there are a lot of factors that
23 influence it.

24 People have been -- I think the people at Hofstra
25 have been trying to get a handle on proper caseloads,

1 and their feeling in conducting a survey of mitigation
2 people around the country is that you can do four
3 cases a year, so that's, you know, 4 or 500 hours per
4 case is viewed to do a thorough history.

5 Q. Five-hundred hours a year, four cases a year
6 comes out to 40 hours a week for 50 weeks?

7 A. Yes

8 Q. Less than many juniors in law firms are asking to
9 bill, but --

10 A. Every case is different, though, you know. And
11 that was one of the things that struck me looking at
12 this case was the caseload these people had, that they
13 were preparing for five or six other cases in the
14 weeks preceding this trial. It's just impossible to
15 do what needs to be done to get ready for trial with
16 that kind of caseload and in that kind of time.

17 Q. Speaking of the Hofstra matter, is your Hofstra
18 article in final form?

19 A. I just sent the final edits on Tuesday and
20 they're turning it around to me. I should have it
21 Friday.

22 Q. Do you have any difficulty providing a copy of
23 that to Court and counsel?

24 A. Sure.

25 Q. I very much appreciate that.

1 A. There are eight people who were asked to write
2 articles for this issue. One article is all on the
3 role of the mitigation specialist.

4 Q. We look forward to seeing the whole thing, but
5 it's important to have that in this record in this
6 case, I think.

7 MR. SIMMONS: Do you just want her article
8 or all of them?

9 THE COURT: I'm assuming all of them are not
10 available to us now, so let's talk about just getting
11 hers for the record in this case.

12 MR. SIMMONS: Yes, your Honor.

13 THE COURT: And then we'll worry about
14 getting the full issue later.

15 Q. If you remember, in your experience in working in
16 capital cases, does the state ever retain somebody to
17 do a social history?

18 A. No. In federal cases they do send the FBI to get
19 like some records and talk to some people, but I
20 wouldn't call it a social history, so I don't know of
21 anyone who does that. It might have aggravation
22 specialist, but no. There are some states that still
23 do presentences in capital cases, that varies by
24 jurisdiction, but then that's generally, I think, done
25 after the sentence. They don't do it before.

1 Q. Right. In Ohio we still have the possibility of
2 a presentence investigation in capital cases, but it's
3 very different from the structure in most other felony
4 cases.

5 Had you been retained at the trial level in
6 this case, what would have been your theory of
7 mitigation?

8 A. Well, you know --

9 Q. See, why that's critical, the question is not
10 what wasn't done, the question is what prejudice was
11 done?

12 A. I think it would have been very important to look
13 at his developmental experiences much more carefully
14 to understand, you know, why he functioned the way he
15 did, and in particular to understand his substance
16 abuse problem because that's one of those issues that
17 can be viewed as aggravating or mitigating depending
18 upon how you explain it.

19 And there was a great deal of discussion by
20 the prosecutor of, you know, about choice, that he
21 chose to do this. Well, we know that, you know, it
22 isn't that simple as choice when you have a genetic
23 predisposition, when you have the kind of life
24 experiences that Larry had, it's very common to choose
25 to self-medicate. And while he came to the attention

1 of people over his life, and Upham Hall certainly saw
2 many of the problems, he never really got appropriate
3 treatment. He certainly didn't get substance abuse
4 treatment. But I find that standard alcohol and drug
5 treatment isn't adequate, either, if you don't address
6 the underlying issues.

7 Q. Underlying psychological issues?

8 A. Right. The depression, hyperactivity, the
9 trauma, all of the things that led him to use this as
10 an escape, so you know, I think had the jury
11 understood that, had they heard about this boy who was
12 little or was beaten up on the way home from school,
13 who other children locked in a freezer when he was a
14 child to tease him, had the teacher come in and
15 described this child that wore the same shirt to
16 school every day, and on eighth grade graduation wore
17 the same shirt that night and no one from his family
18 come to the graduation, and had they understood how
19 afraid he was to go home; they heard about run-aways
20 but if you don't know this, they were -- because he
21 was afraid to go home, you know, I have to think that
22 would have an impact in terms of understanding him,
23 seeing the humanity in him, understanding how he was
24 caught up with these 16-year-olds, you know.

25 Upham Hall talks about him being susceptible

1 to negative peer influence, you know, and indeed he
2 was. So I think that would have been good. Again I
3 would -- I talked about youthfulness and explained it,
4 and I think I would have very much wanted to talk to
5 people from Fairfield and talk to people at the jail
6 and present evidence of his ability to do well in a
7 prison setting, I think that could have been very
8 important.

9 Q. You indicated that, early on in your testimony,
10 that one of the important things about getting started
11 with the social history, with getting the mitigation
12 specialist involved is to be able to influence jury
13 selection.

14 A. Uh-huh.

15 Q. Would you agree with me that the rhetoric of
16 mitigation varies according to the audience that
17 you're addressing, what jury you got or what jury you
18 can get, or do you think that that's pretty -- Let me
19 explain why I ask the question. Sometimes when
20 lawyers are trying to decide, should I file a case in
21 the Common Pleas Court in Montgomery County or should
22 I file in federal court, should I remove the case, it
23 is explained to them that Montgomery County juries are
24 all urban people whereas this Court's juries are drawn
25 from a much more mixed geographical setting. The

1 typical joking reference is a lot of green gill
2 farmer's wives on juries in federal court. Whether
3 that's true, I don't know. That's a joke that's often
4 told. Ross County is not a major metropolitan area.

5 I don't know in the course of your experience
6 whether you have had occasion to think about the
7 difference between choosing a jury and then arguing to
8 a jury in that setting as opposed to a major
9 metropolitan setting, or if you think that makes any
10 difference.

11 A. Well, it does in terms of you need to know in
12 advance of trial who is the pool, where am I trying
13 this and what is the pool of jurors and what do I know
14 about my client and how do I find people. You know,
15 how do I find people who understand or maybe have some
16 life experience with substance abuse in their family.
17 I would have been looking -- you know, I don't know
18 what kind of voir dire you have here. I'm used to a
19 lot of individual voir dire on capital cases in most
20 places, and you do a questionnaire and you attempt to
21 know a lot.

22 I mean I think you can't control the pool,
23 but you have to know what is your client's story and
24 what is your theory to think about what questions to
25 ask and who are you looking for and who don't they

1 want on the jury because they do think it's always a
2 choice to do drugs or alcohol. I would want to know
3 what people's experience is with that and what is
4 their attitude about people who do drugs. That I
5 think would have been very important in voir dire
6 inquiry.

7 You know, there's been so much on TV about
8 the abuse excuse, so what are people's attitudes about
9 children who have been abused? Do they think that
10 children are affected by those experiences; those
11 questions.

12 And you know, picking a jury for a noncapital
13 case is very different than picking a jury for a
14 capital case, and the penalty strategy has to be very
15 much in the mind of attorneys that are picking the
16 jury. When you don't even know your client's history
17 at that time, you know, you just can't. You know,
18 once there is a jury you have to say, what do I know
19 about these people, you know, and what do I need to
20 tell them about Larry that will help them understand
21 who he is and how he got to this place in his life.

22 Q. The overall objective being to humanize him;
23 right?

24 A. To make them see the person, uh-huh, the whole
25 person, and not just, you know, a murderer, but the

1 person who did this terrible, terrible thing, you
2 know.

3 Q. You indicated that at the time you did your work
4 before the post-conviction process, that some of the
5 records that you might have wanted to see had been
6 destroyed or were missing. And I note that you were
7 initially involved in the case in '91, you were asked
8 to do the social history in '93, you completed the
9 social history in '96. Do you have any idea why there
10 was such a long delay between trial and
11 post-conviction?

12 A. No. I mean every state is different in terms of
13 how it moves cases.

14 THE COURT: You may step down.

15 THE WITNESS: Thank you.

16 (Witness was excused.)

17 THE COURT: Mr. Simmons, you may call your
18 next witness.

19 MR. SIMMONS: Yes, your Honor. Dr. Smith.

20 ROBERT L. SMITH, Ph.D
21 witness herein, being first duly sworn, testified as
22 follows:

23 DIRECT EXAMINATION

24 MR. SIMMONS: I think counsel has -- she's
25 going to stay a while to hear the doctor's testimony.